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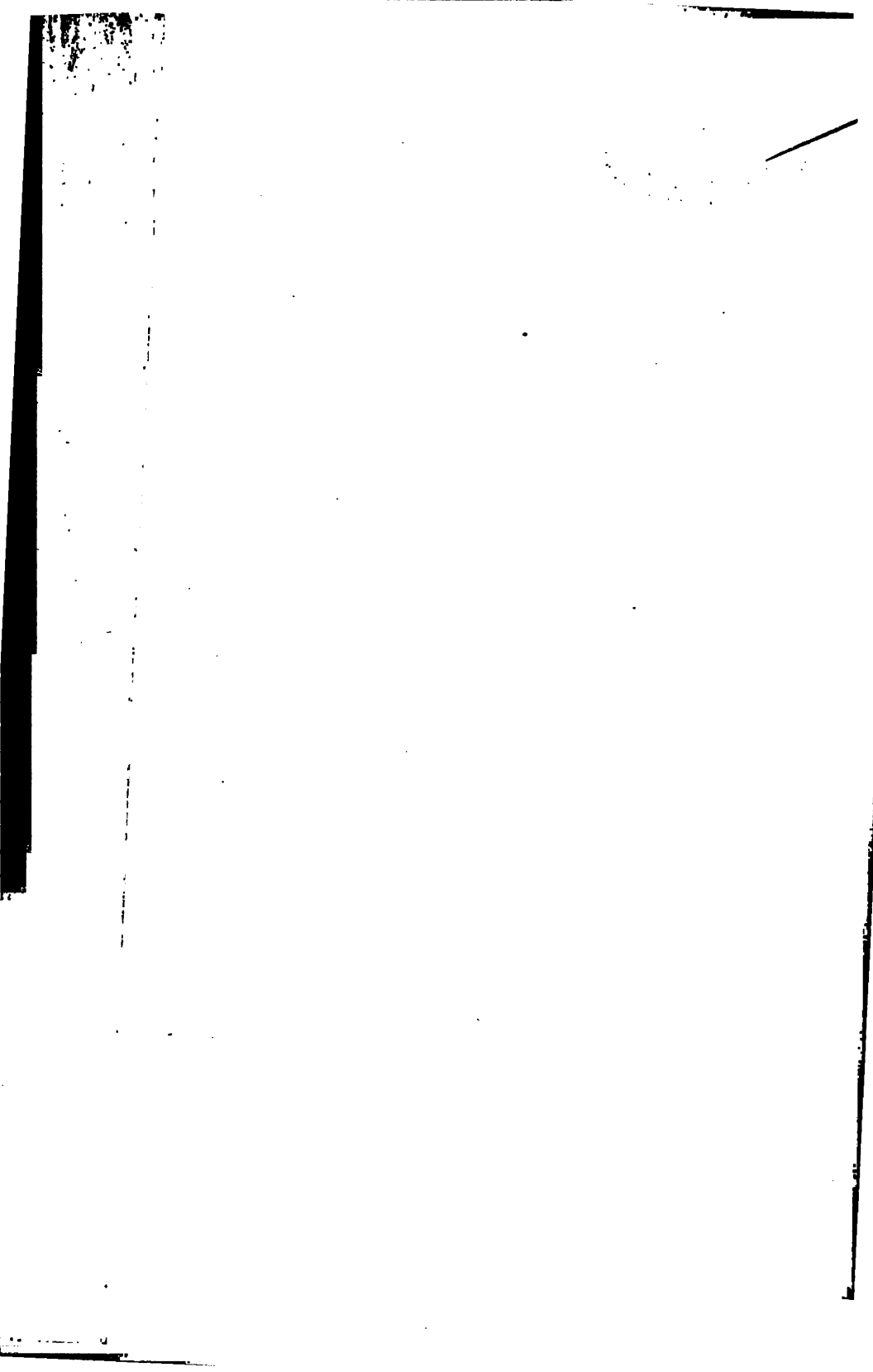
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STATUTES

OF THE

STATE OF NEVADA

PASSED AT THE

SEVENTEENTH SESSION OF THE LEGISLATURE,

1895.

COMMENCED ON MONDAY, THE TWENTY-FIRST DAY OF JANUARY, AND
ENDED ON SATURDAY, THE SIXTEENTH DAY OF MARCH.



CARSON CITY, NEVADA:
STATE PRINTING OFFICE. : : : J. G. MCCARTHY, SUPERINTENDENT.
1895.



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AND MANAGING OFFICERS OF STATE INSTITU-
TIONS WHEN THESE LAWS WERE PASSED.

NATIONAL DEPARTMENT.

Name.	Official Position.	Address.
John P. Jones.....	United States Senator.....	.....Gold Hill
William M. Stewart.....	United States Senator.....	.....Carson City
F. G. Newlands.....	Representative in Congress.....	.....Reno

JUDICIAL DEPARTMENT.

Name.	Official Position.	Address.
R. R. Bigelow.....	Chief Justice Supreme Court.....	.....Carson City
C. H. Belknap.....	Associate Justice Supreme Court.....	.....Carson City
M. S. Bonfield.....	Associate Justice Supreme Court.....	.....Carson City
R. M. Beatty.....	Attorney-General.....	.....Carson City
Eugene Howell.....	Clerk of Supreme Court (<i>ex officio</i>).....	.....Carson City
William Kinney.....	Bailiff of Supreme Court.....	.....Carson City

DISTRICT JUDGES.

Name.	Official Position.	Address.
C. E. Mack.....	District Judge.....	.....Virginia City
A. L. Fitzgerald.....	District Judge.....	.....Eureka
A. E. Cheney.....	District Judge.....	.....Reno
George F. Talbot.....	District Judge.....	.....Elko

LIST OF OFFICERS.

LEGISLATIVE DEPARTMENT, 1895.

SENATE.*

Hon. R. SADLER, President. Hon. J. E. GIGNOUX, President pro tem.

Name.	County,	Address.
Charles Kaiser†	Churchill	Stillwater
J. H. Martin†	Douglas	Genoa
R. E. Skaggs†	Elko	Lamoille
John Gregovich†	Eureka	Eureka
J. W. Wilson†	Esmeralda	Pine Grove
Alex. Wise†	Humboldt	Winnemucca
C. A. Richardst	Lander	Austin
George T. Mills†	Ormsby	Carson City
A. J. McCone†	Storey	Virginia City
Sardis Summerfield†	Washoe	Reno
C. H. Patchen	Lincoln	Pioche
J. E. Gignoux	Lyon	Dayton
Andrew Maute	Nye	Belmont
E. D. Boyle	Storey	Gold Hill
H. A. Comins	White Pine	Ely

*Senators are elected for four years; Assemblymen for two years; sessions biennial, and convene on the third Monday in January of odd-numbered years.

†Elected November 6, 1894.

SENATE OFFICERS AND ATTACHES.

Name.	Official Position.	Address.
R. Sadler	President	Eureka
J. E. Gignoux	President pro tem	Silver City
A. J. Maestretti	Secretary	Austin
Geo. I. Lammon	Assistant Secretary	Virginia
J. A. Moore	Sergeant-at-Arms	Virginia
W. H. Minor	Minute Clerk	Willow Creek
Frank Folsom	Journal Clerk	Carson
Frank Paul	Engrossing Clerk	Hamilton
Lizzie Stock	Enrolling Clerk	Silver City
Cora Pursel	Copying Clerk	Candelaria
F. H. Harmon	Committee Clerk	Eureka
H. Allerman	Messenger	Genoa
George Osgood	Page	Carson
R. Savage	Porter	Carson
Henry Morrison	Committee Rooms Janitor	Carson

LIST OF OFFICERS.

3

ASSEMBLY.

Hon. LEM ALLEN, Speaker. Hon. GEO. N. NOEL, Speaker pro tem.

Name.	County.	Address.
Lem Allen	Churchill	St. Clair
F. E. Brockliss	Douglas	Sheridan
H. H. Coryell	Elko	Wells
James Russell	Elko	Elko
J. H. Weiland	Elko	Weiland
S. L. McNaughten	Esmeralda	Candelaria
G. W. Leidy	Esmeralda	Dyer
C. E. Allen	Eureka	Eureka
F. O. Gorman	Eureka	Eureka
Frank Francis	Humboldt	Kennedy
W. C. Pitt	Humboldt	Lovelock
G. W. Hinman	Lander	Battle Mountain
J. A. Denton	Lincoln	Pioche
J. I. Wilson	Lyon	Nordyke
A. J. Newman	Lyon	Dayton
J. G. Court	Nye	Peavine
Gilbert Briggs	Ormsby	Carson City
W. H. Crisler	Ormsby	Carson City
C. F. Murphy	Ormsby	Empire
T. L. Beals	Storey	Virginia City
J. A. Conboie	Storey	Virginia City
H. C. Greenwood	Storey	Virginia City
W. Hall	Storey	Gold Hill
Geo. N. Noel	Storey	Virginia City
Thomas Constant	Storey	Virginia City
H. H. Beck	Washoe	Reno
H. H. Hogan	Washoe	Reno
P. L. Flanigan	Washoe	Reno
N. Stanley	Washoe	Reno
D. C. McDonald	White Pine	Ely

ASSEMBLY OFFICERS AND ATTACHES.

Name.	Official Position.	Address.
Lem Allen	Speaker	St. Clair
Geo. N. Noel	Speaker pro tem	Virginia
T. L. Hoppin	Chief Clerk	Paradise
Wm. Laurensen	Assistant Clerk	Ely
H. P. Flannery	Sergeant-at-Arms	Virginia
W. H. North	Minute Clerk	Palisade
C. R. Ford	Journal Clerk	Eureka
Charlotte Armstrong	Enrolling Clerk	Reno
Ida Gardner	Engrossing Clerk	Gardnerville
W. A. Bacon	Committee Clerk	Elko
Ida Minor	Copying Clerk	Willow Creek
James Dopson	Messenger	Candelaria
C. A. Brown	Porter	Virginia
E. J. McDonald	Page	Carson
Elwood Bane	Page	Carson

LIST OF OFFICERS.

EXECUTIVE DEPARTMENT.

Name.	Official Position.	Address.
J. E. Jones.....	Governor.....	Carson City
W. T. Hanford.....	Governor's Private Secretary.....	Carson City
R. Sadler.....	Lieutenant-Governor.....	Eureka
Eugene Howell.....	Secretary of State.....	Carson City
Sam P. Davis.....	Deputy Secretary of State.....	Carson City
C. A. LaGrave.....	State Controller.....	Carson City
T. N. Stone.....	Deputy Controller.....	Carson City
W. J. Westerfield.....	State Treasurer.....	Carson City
W. R. Davis.....	Deputy State Treasurer.....	Carson City
A. C. Pratt.....	State Land Register.....	Carson City
M. D. Noteware.....	Deputy State Land Register.....	Carson City
H. C. Cutting.....	Superintendent of Public Instruction.....	Carson City
R. M. Beatty.....	Attorney-General.....	Carson City
Eugene Howell.....	State Librarian (<i>ex officio</i>).....	Carson City

BOARD OF PARDONS.

Name.	Official Position.	Address.
J. E. Jones.....	Governor.....	Carson City
R. R. Bigelow.....	Chief Justice Supreme Court.....	Carson City
C. H. Belknap.....	Associate Justice Supreme Court.....	Carson City
M. S. Bonnifield.....	Associate Justice Supreme Court.....	Carson City
R. M. Beatty.....	Attorney-General.....	Carson City
W. T. Hanford.....	Clerk of Board of Pardons.....	Carson City

STATE INSTITUTIONS.

STATE PRISON.

Name.	Official Position.	Address.
L. O. Henderson.....	Warden.....	Carson City
Matt Schatzlein.....	Captain of the Guard.....	Carson City

NEVADA HOSPITAL FOR MENTAL DISEASES.

Name.	Official Position.	Address.
Henry Bergstein, M. D.	Superintendent.....	Reno
Henry Wood.....	Supervisor.....	Reno

STATE PRINTING OFFICE.

Name.	Official Position.	Address.
J. G. McCarthy.....	Superintendent of State Printing.....	Carson City
Will U. Mackey.....	Foreman.....	Carson City

LIST OF OFFICERS.

5

STATE UNIVERSITY.

Name.	Official Position.	Address.
J. E. Stubbs, M.A. D.D. LL.D.	President, Professor of Ethics and Psychology and Instructor in German	Reno
Hannah K. Clapp, M.A.	Preceptress and Librarian	Reno
W. McN. Miller, B.Sc.	Professor Anatomy, Geology and Physiology	Reno
R. D. Jackson, Ph.B.	Professor Mining and Metallurgy	Reno
J. Warne Phillips, D.Sc.	Professor Chemistry and Physics	Reno
F. H. Hillman, M.S.	Professor Entomology and Botany	Reno
Mrs. Mary W. Emery	Professor Pedagogics and Principal Normal Department	Reno
Robert Lewers	Professor Economic Science and Principal Commercial Department	Reno
R. H. McDowell, B.Sc.	Professor Agriculture and Horticulture	Reno
N. E. Wilson, M.Sc.	Chemist Experiment Station	Reno
T. W. Cowgill, M.A.	Professor English and History	Reno
Richard Brown	Superintendent Mechanical Department	Reno
Henry Thurtell, B.Sc.	Professor Mechanics and Mechanical Drawing	Reno
J. E. Church, Jr., B.A.	Instructor Latin and German	Reno
Wm. R. Hamilton, First Lieutenant Fifth U. S. Artillery	Professor Military Science and Tactics	Reno
F. Stadtmuller, B.S.	Assistant Physics and Chemistry	Reno
Katharine Bardenwerper	Assistant Training School	Reno
Estella B. Ede	Assistant Training School	Reno
Samuel Unsworth, B.A.	Instructor Greek Language and Literature	Reno

STATE ORPHANS' HOME.

Name.	Official Position.	Address.
A. M. Beebe	Superintendent	Carson City
Mrs. A. M. Beebe	Matron	Carson City
Anna Summerfield	Teacher	Carson City

BOARDS AND COMMISSIONS.

STATE BOARD OF EXAMINERS.

Name.	Official Position.	Address.
J. E. Jones	Chairman	Carson City
Eugene Howell	Commissioner	Carson City
R. M. Beatty	Commissioner	Carson City
J. Doane	Clerk	Carson City

STATE BOARD OF PRISON COMMISSIONERS.

Name.	Official Position.	Address.
J. E. Jones	Commissioner	Carson City
Eugene Howell	Commissioner	Carson City
R. M. Beatty	Commissioner	Carson City
J. Doane	Clerk	Carson City

LIST OF OFFICERS.

STATE UNIVERSITY REGENTS.

Name.	Official Position.	Address.
W. E. F. Deal	Regent (long term)	Virginia City
H. S. Starratt	Regent (short term)	Austin
H. L. Fish	Regent (long term)	Reno
Geo. H. Taylor	Clerk	Reno

STATE PRINTING COMMISSIONERS.

Name.	Official Position.	Address.
C. A. LaGrave	Commissioner	Carson City
Eugene Howell	Commissioner	Carson City
W. J. Westerfield	Commissioner	Carson City
T. N. Stone	Clerk	Carson City

STATE BOARD OF EDUCATION.

Name.	Official Position.	Address.
J. E. Jones	Commissioner	Carson City
A. C. Pratt	Commissioner	Carson City
H. C. Cutting	Commissioner	Carson City

CAPITOL COMMISSIONERS.

Name.	Official Position.	Address.
W. J. Westerfield	Commissioner	Carson City
C. A. LaGrave	Commissioner	Carson City
R. Sadler	Commissioner	Eureka

ORPHANS' HOME COMMISSIONERS.

Name.	Official Position.	Address.
W. J. Westerfield	Commissioner	Carson City
A. C. Pratt	Commissioner	Carson City
H. C. Cutting	Commissioner	Carson City

COMMISSIONERS FOR CARE OF INDIGENT INSANE.

Name.	Official Position.	Address.
J. E. Jones	Commissioner	Carson City
C. A. LaGrave	Commissioner	Carson City
W. J. Westerfield	Commissioner	Carson City
W. R. Davis	Clerk	Carson City

MILITARY AUDITORS.

Name.	Official Position.	Address.
J. E. Jones.....	Governor.....	.....Carson City
C. A. LaGrave.....	State Controller.....	.....Carson City
C. H. Galusha.....	Adjutant-General.....	.....Carson City

STATE BUREAU OF IMMIGRATION.

Name.	Official Position.	Address.
C. A. LaGrave.....	Commissioner.....	.....Carson City
A. C. Pratt.....	Commissioner.....	.....Carson City
H. C. Cutting.....	Commissioner.....	.....Carson City

STATE BOARD OF HEALTH.

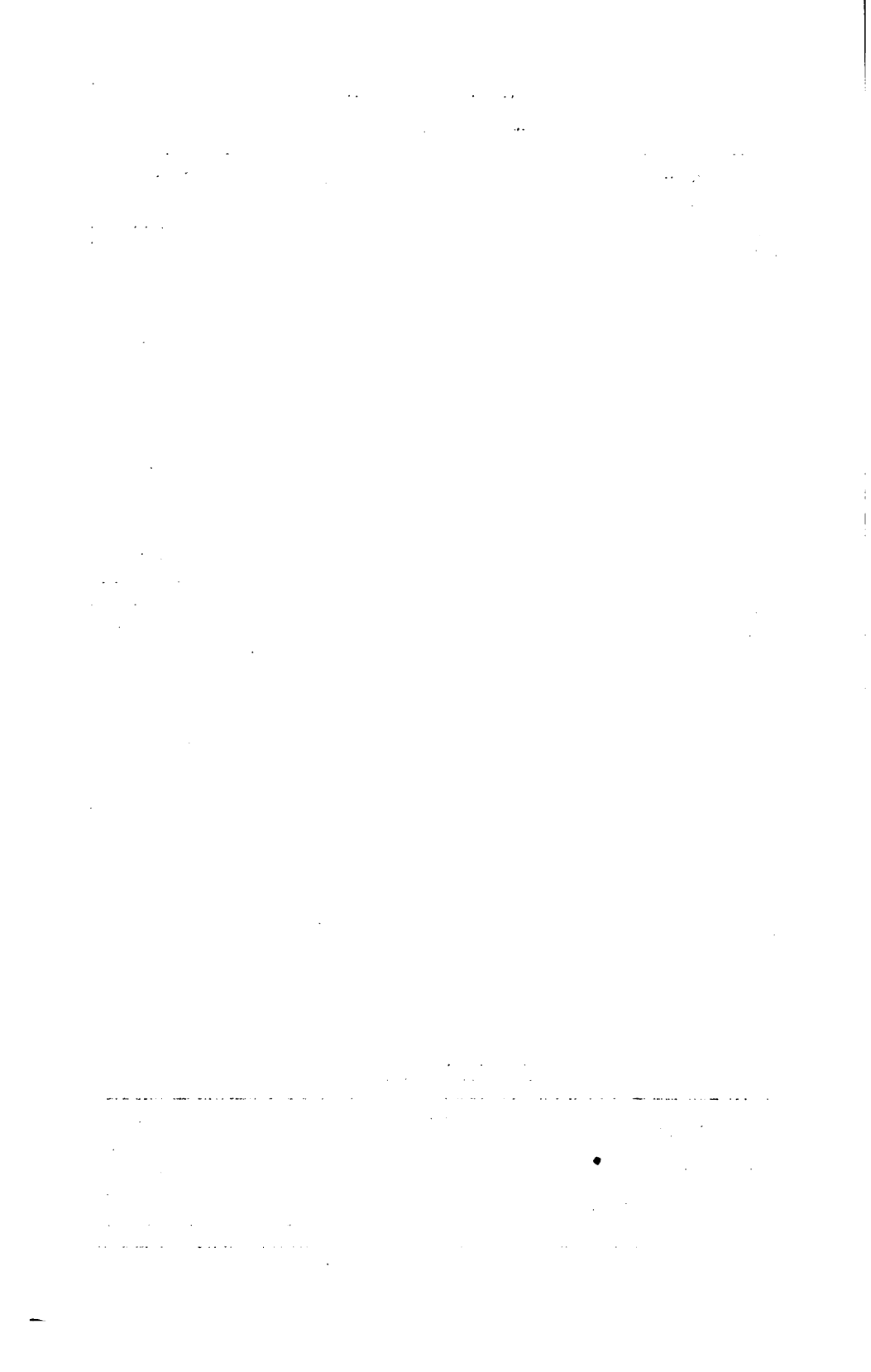
Name.	Official Position.	Address.
S. L. Lee, M. D.....	Commissioner.....	.....Carson City
J. A. Lewis, M. D.....	Commissioner.....	.....Reno
M. A. Phillips, M. D.....	Commissioner.....	.....Reno

COMMISSIONERS OF AGRICULTURE.

Name.	Official Position.	Address.	Term Expires.
Geo. H. Cunningham.....	Commissioner.....	Reno.....	February 1, 1896
Joseph Marzen.....	Commissioner.....	Lovelock.....	February 1, 1896
C. C. Powning.....	Commissioner.....	Reno.....	February 1, 1896
W. O. H. Martin.....	Commissioner.....	Reno.....	February 1, 1897
H. M. Yerington.....	Commissioner.....	Carson City.....	February 1, 1897
W. S. Bailey.....	Commissioner.....	Stillwater.....	February 1, 1897
Theo. Winters.....	Commissioner.....	Washoe City.....	February 1, 1898
T. K. Hymers.....	Commissioner.....	Reno.....	February 1, 1898
Joseph E. Jones.....	Commissioner.....	Reno.....	February 1, 1898
W. Webster.....	Commissioner.....	Reno.....	February 1, 1899
W. D. Phillips.....	Commissioner.....	Reno.....	February 1, 1899
J. O. Birmingham.....	Commissioner.....	Wabuska.....	February 1, 1899

MISCELLANEOUS.

Name.	Official Position.	Address.
C. H. Galusha.....	Adjutant-General.....	.....Carson City
Geo. T. Mills.....	Fish Commissioner.....	.....Carson City
Chas. D. VanDuzer.....	Land Agent.....	Washington, D. C.
Susie E. Dorsey.....	State Library Clerk.....	.....Carson City



LAWS OF THE STATE OF NEVADA.

LAWS OF THE STATE OF NEVADA,

PASSED AT THE

SEVENTEENTH SESSION OF THE LEGISLATURE.

1895.

----- THE LEGISLATURE SHALL REVERT TO THE GENERAL FUND.

CHAP. II.—*An Act to create a Legislative Fund.*

[Approved January 29, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of paying the mileage and per diem of the members of the present Legislature, the salaries of the attaches and the incidental expenses of the respective houses thereof, the State Treasurer is hereby authorized and required to set apart from any moneys now in the General Fund, State Treasurer required to set apart money.

ERRATA TO STATUTES.

Page 52, Section 2, line 2, read "bounds," instead of "bonds."
Page 67, line 1, read "eight," instead of "eighteen."

LAWS OF THE STATE OF NEVADA,

PASSED AT THE

SEVENTEENTH SESSION OF THE LEGISLATURE.

1895.

CHAPTER I.—*An Act to create a Legislative Fund.*

[Approved January 26, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of paying the mileage and per diem of the members of the present Legislature, the salaries of the attaches and the incidental expenses of the respective houses thereof, the State Treasurer is hereby authorized and required to set apart from any moneys now in the General Fund, not otherwise specially appropriated, the sum of (\$30000) dollars, which shall constitute the Legislative Fund.

State
Treasurer
required to
set apart
money.

SEC. 2. The State Controller is hereby authorized and required to draw his warrant on said fund in favor of the members and attaches of the Senate and Assembly for per diem, mileage, stationery allowances, compensation and incidental expenses of the respective houses, when properly certified to him in accordance with law, and the State Treasurer is hereby authorized and required to pay the same.

Controller
authorized
to draw
warrant.

SEC. 3. All moneys remaining in said fund at the adjournment of the Legislature shall revert to the General Fund.

CHAP. II.—*An Act to create a Legislative Fund.*

[Approved January 29, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of paying the mileage and per diem of the members of the present Legislature, the salaries of the attaches and the incidental expenses of the respective houses thereof, the State Treasurer is hereby authorized and required to set apart from any moneys now in the General Fund,

State
Treasurer
required to
set apart
money.

not otherwise specially appropriated, the sum of thirty-two thousand (\$32,000) dollars, which shall constitute the Legislative Fund.

Controller
authorized
to draw
warrant.

SEC. 2. The State Controller is hereby authorized and required to draw his warrant on said fund in favor of the members and attaches of the Senate and Assembly for per diem, mileage, stationery allowances, compensation and incidental expenses of the respective houses, when properly certified to him in accordance with law, and the State Treasurer is hereby authorized and required to pay the same.

To revert to
General
Fund.

SEC. 3. All moneys remaining in said fund at the adjournment of the Legislature shall revert to the General Fund.

Assembly
Bill No. 1
repealed.

SEC. 4. Assembly Bill No. 1, entitled "An Act to create a Legislative Fund," passed at the Seventeenth Session of the Nevada Legislature, is hereby repealed.

CHAP. III.—*An Act supplementary to an Act entitled "An Act concerning crimes and punishments," approved November 26, A. D. 1861; to prohibit males declaring an illicit carnal knowledge of females.*

[Approved February 5, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Shall be
deemed
guilty of
misdemeanor.

SECTION 1. Every male person who shall in any language or words whatsoever, either truthfully or falsely, orally declare, in the presence of two or more other persons, of good general reputation, in the locality in which they reside that he has had carnal knowledge of any certain female person other than his lawful wife, except when under oath in a court of justice, or elsewhere with or without oath in the matter of a preparation for a judicial proceeding, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the County Jail for a period of not less than ninety days, nor more than six months, or by a fine of not less than two hundred nor exceeding five hundred dollars.

CHAP. IV.—*An Act to repeal chapter one hundred and twenty of the Acts of the Legislature of Nevada, approved March 9, 1893.*

[Approved February 11, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriations
by
County Commissioners
repealed.

SECTION 1. The Act of the Legislature entitled "An Act authorizing and directing appropriations by Boards of County Commissioners for encampments and other public holiday celebrations," approved March 9, 1893, is hereby repealed.

CHAP. V.—*An Act to amend "An Act concerning the payment in money of debts and other obligations," approved February 15, 1893.*

[Approved February 12, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Amend section one to read as follows:

Section 1. On and after the passage of this Act, all official bonds and undertakings, and also all obligations of debt, judgments or executions stated in terms of dollars and to be paid in money shall be payable, in either the standard silver or gold coins or other legal money authorized by the Congress of the United States.

Obligations of debt to be paid in any legal money authorized by Congress.

SEC. 2. This Act to take effect from and after its passage.

CHAP. VI.—*An Act to provide for the copying of the Journal of the Assembly for the Seventeenth Session.*

[Approved February 14, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one hundred and fifty dollars is hereby appropriated out of the Legislative Fund of the State Treasury, to be paid to Miss Nellie Sweeney for copying the Journal of the Assembly for the Seventeenth Session of the Nevada State Legislature for the State Printer.

Copying Assembly Journal.

SEC. 2. Upon the receipt of a certificate from Eugene Howell, Secretary of State, that the Journal of the Assembly for the Seventeenth Session of the Nevada Legislature has been correctly copied and delivered to the Secretary of State, the Controller shall draw his warrant in favor of the said Miss Nellie Sweeney named in section one of this Act and the State Treasurer shall pay the same.

Secretary of State to certify.

CHAP. VII.—*An Act fixing the salary of the Treasurer of Eureka county, State of Nevada, and other matters relating thereto.*

[Approved February 14, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. On and after the passage of this Act the Treasurer of Eureka county, State of Nevada, shall receive in twelve equal monthly payments a salary of nine hundred dollars per annum.

Salary of Treasurer of Eureka county.

SEC. 2. The salary named in this Act shall be the only salary or compensation allowed by the Board of County Commissioners, or County Auditor, or paid by the County Treasurer of said county, for any and all services and *ex officio* services of every kind and character rendered by said County Treasurer.

SEC. 3. All Acts or parts of Acts in conflict with this Act are hereby repealed.

CHAP. VIII.—*An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada," approved November 26, 1861.*

[Approved February 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three hundred and fifty-seven of the above entitled Act is hereby amended so as to read as follows:

Section three hundred and fifty-seven. If the indictment be for an offense punishable with death, two counsel on each side may argue the cause to the jury, but in such case as well as in all others the counsel for the people must open and must conclude the argument. If it be for any other offense, the Court may in its discretion restrict the argument to one counsel on each side.

Two counsel
may argue.

One counsel
may argue.

CHAP. IX.—*An Act to provide for the building and furnishing of dormitories and for the purchase of additional land at the Nevada State University at Reno, Nevada.*

[Approved February 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Board of Regents of the State University are hereby authorized and directed to construct and furnish two suitable buildings of brick or stone upon the State land at Reno, Nevada, set apart for the uses of the State University, to be used as dormitories for the students attending, or to attend, the State University, one of which shall be for male students and the other for female students.

SEC. 2. The building to be used by male students and the furnishing thereof shall not exceed in cost the sum of twenty-five thousand dollars; and the building to be used by female students and the furnishing thereof shall not exceed in cost the sum of ten thousand dollars.

SEC. 3. The Board of Regents are hereby authorized to purchase additional land on the west side of the present University campus, if the purchase of such additional land be deemed necessary for the suitable location of either or both of the dormitory buildings hereinbefore provided for, and said land shall not cost to exceed the sum of three thousand dollars.

SEC. 4. Thirty-eight thousand dollars are hereby appropriated for the construction and furnishing of said buildings and for the purchase of said land, and in no case shall a contract be entered into which shall exceed the sum of thirty-five thousand

Board of
Regents
authorized
to construct
and furnish
buildings to
be used as
dormitories.

Amount
named
for each
building.

To purchase
additional
land, not to
exceed in
cost the sum
of \$3,000.

Amount ap-
propriated.

dollars for the erection of said buildings and the furnishing of the same and the sum of three thousand dollars for the purchase of said land.

SEC. 5. The money hereby appropriated shall be taken from the State School Fund, and, in its place, shall be deposited thirty-eight bonds of one thousand dollars each, bearing interest at the rate of four per cent. per annum; said bonds shall run for twenty years, but shall be redeemable by the State at its pleasure, after two years; said bonds shall be signed by the Governor and State Controller, countersigned by the State Treasurer, and authenticated with the Great Seal of the State, and shall state in substance that the State of Nevada owes its State School Fund thirty-eight thousand dollars, the interest on which sum at four per cent. per annum she agrees to pay during the life of said bonds for the benefit of the common schools of the State; said bonds may be lithographed as is usual in similar cases, and deposited with the Treasurer of the State. The interest on said bonds shall be paid semi-annually, on the first days of January and July of each year, on the written order of the State Board of Education to the State Controller directing him to draw his warrant for the amount of such semi-annual interest on the State University Interest and Sinking Fund herein created. All sums derived from the interest on said bonds shall go into the General School Fund for the support of the common schools of the State and for the regular and prompt payment of which the faith and credit of the State is hereby pledged.

Appropriation to be taken from State School Fund.

Bonds to be signed.

Interest paid semi-annually.

Interest to go into General School Fund.

SEC. 6. There shall be levied and collected for the fiscal year commencing January first, eighteen hundred and ninety-five, and annually thereafter, an ad valorem tax of one and one-fifth cents on each one hundred dollars of all the taxable property in the State, including the tax upon the proceeds of mines, and all sums derived from this tax shall go into the State University Interest and Sinking Fund, for the payment of interest and redemption of bonds herein authorized by this Act.

Ad valorem tax to be levied and collected.

CHAP. X.—*An Act to amend an Act entitled "An Act to provide for uniform examinations for teachers' certificates and other matters properly connected therewith," approved March 6, 1893.*

[Approved February 18, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended to read as follows:

Section one. Examinations for teachers' certificates in this State shall be held in the several counties semi-annually, beginning on the second Monday in January and July, and continuing not more than three days at any one examination; *provided*, that the interest of the schools in any county requires such

Examinations for teachers shall be semi-annually.

examinations. Examinations shall not be held at other times than are herein specified, except with the consent and authorization of the State Board of Education.

CHAP. XI.—*An Act consolidating certain county officers in Churchill county.*

[Approved February 18, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Duties and compensation of Sheriff.

SECTION 1. From and after the approval of this Act, the Sheriff of Churchill county shall be *ex officio* Assessor and Tax Collector, and he shall receive as such the sum of seven hundred dollars per annum, and such fees as are now allowed to the Sheriff in civil cases, and no further compensation shall be paid by the said county of Churchill.

Duties and compensation of Treasurer.

SEC. 2. From and after the approval of this Act, the County Treasurer of Churchill county shall be *ex officio* County Clerk and Clerk of the District Court and *ex officio* Clerk of the Board of County Commissioners, and shall receive for his services the sum of nine hundred dollars per annum, which shall be full compensation for his services as Treasurer, *ex officio* County Clerk and Clerk of the District Court and *ex officio* Clerk of the Board of County Commissioners.

SEC. 3. An Act consolidating certain county officers in Churchill county, approved March 2, 1893, is hereby repealed.

CHAP. XII.—*An Act to amend an Act entitled "An Act to provide for the appointment of Notaries Public and defining their duties," approved February 9, 1864; amended March 20, 1865; further amended February 9, 1866; further amended March 13, 1867; further amended January 27, 1879; further amended February 26, 1881; further amended January 30, 1883; further amended March 4, 1889.*

[Approved February 20, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the above entitled Act as amended as set forth in the title of this Act is hereby amended so as to read as follows :

Apportionment of Notaries Public.

Section one. The Governor is hereby authorized to appoint and commission Notaries Public in the several counties in this State as follows : For Storey county, twelve ; Lander county, sixteen ; Nye county, sixteen ; Churchill county, four ; Esmeralda county, thirty ; Ormsby county, six ; Humboldt county, sixteen ; Washoe county, sixteen ; Douglas county, five ; Lyon

county, eight; Eureka county, fifteen; Elko county, fifteen; White Pine county, ten; Lincoln county, sixteen; and for any new county hereafter created or organized, six, who shall hold office for the term of four years; *provided*, the Governor may at any time, for cause, revoke the commission of the Notary Public appointed under the provisions of this Act.

To hold
office for
four years.

CHAP. XIII.—*An Act to repeal chapter one hundred of the laws passed by the State Legislature of Nevada, during the Sixteenth Session thereof, approved March 6, 1893, 107*

[Approved February 20, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Act of the Legislature of the State of Nevada, entitled "An Act to authorize the County Commissioners of Washoe county to issue bonds for the paying of the outstanding indebtedness of the General Road Fund of said county and of improving the roads therein, and to provide a fund for the payment of said bonds," approved March 6, 1893, is hereby repealed.

County
Commis-
sioners to
issue bonds.

CHAP. XIV.—*An Act supplementary to an Act to provide for the preservation and care of the State Museum.*

[Approved February 20, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Rooms 10 and 11 on the second floor in the State Printing Office Building are hereby placed at the disposal of the Curator of the Museum and he is authorized to erect therein shelves, cases, and stands for the purpose of exhibiting the mineral resources of this State; *provided, however*, that said rooms may still be used as committee rooms.

Rooms for
State
Museum.

CHAP. XV.—*An Act to prohibit the sale of ardent spirits within the Capitol Building of the State of Nevada.*

[Approved February 25, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person who shall, on and after the first day of April, one thousand eight hundred and ninety-five, sell, barter, give, or in any way dispose of, any spirituous or malt liquors, wines or cider, of any description whatever, within the Capitol Building of this State, shall be deemed guilty of a mis-

Prohibits
liquors in
Capitol
Building.

Penalty.

demeanor and upon conviction thereof, before any Court of competent jurisdiction, shall be fined in any sum, not less than one hundred dollars, and not exceeding five hundred dollars, or be imprisoned in the County Jail for any time, not less than one month and not exceeding six months, or by both such fine and imprisonment, in the discretion of the Court.

CHAP. XVI.—*An Act to provide for the compilation and printing of the mining laws of the State of Nevada.*

[Approved February 25, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

To compile
mining
laws.

SECTION 1. The Superintendent of Public Instruction is hereby authorized to compile the mining laws of this State; and subject to the approval of the State Board of Examiners to have not more than two thousand copies of the same printed at the State Printing Office.

CHAP. XVII.—*An Act to provide relief for L. F. Dunn, H. P. Flannery, and James Hearty.*

[Approved February 26, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

L. F. Dunn,
relief of.

H. P. Flannery,
relief of.

James
Hearty,
relief of.

SECTION 1. The sum of one hundred and eighty-seven dollars and fifty cents (\$187 50) is hereby appropriated out of the Legislative Fund of the State Treasury, to be paid as follows: To L. F. Dunn, the sum of one hundred and thirty-two dollars and fifty cents (\$132 50) for services performed and expenses incurred, as County Clerk of Humboldt county, in the election contest case of Hardin vs. Francis; the sum of thirty dollars (\$30) to H. P. Flannery for services performed and expenses incurred, as Sergeant-at-Arms of the Assembly, in the election contest case of Hardin vs. Francis; the sum of twenty-five dollars (\$25) to James Hearty, for services performed in repairing the Assembly Chamber.

SEC. 2. The State Controller is hereby directed to draw his warrant in favor of persons hereinbefore named for the several amounts specified in this Act, and the State Treasurer is hereby directed to pay the same.

CHAP. XVIII.—*An Act to repeal an Act entitled "An Act for the better protection of the estates of deceased persons," approved March 6, 1893.*

[Approved February 26, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That certain Act of the Legislature of the State

of Nevada entitled "An Act for the better protection of the estates of deceased persons," approved March 6, 1893, is hereby repealed. Act relating to estates repealed.

CHAP. XIX.—*An Act to amend an Act entitled "An Act consolidating certain county and township offices in the State of Nevada, and fixing the salaries of the officers thereof, and all other matters relating thereto," approved March 12, 1885, as amended by Acts approved, respectively, March 9, 1889, March 21, 1891, and February 10, 1893.*

[Approved February 26, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twelve of said Act approved March 12, 1885, as amended by said Acts approved, respectively, March 9, 1889, March 21, 1891, and February 10, 1893, is hereby amended so as to read as follows:

Section twelve. The following named officers within Storey county shall receive in full payment for all services rendered by them, the following salaries: The Sheriff, for services as Sheriff and *ex officio* Assessor, shall receive the sum of two thousand dollars a year. The Sheriff as *ex officio* Assessor may appoint not to exceed two Deputy Assessors for the period of sixty days in each year, who shall receive five dollars a day for each day's services performed, Sundays excepted. The County Clerk and *ex officio* County Treasurer shall receive the sum of two thousand dollars a year. The County Clerk as *ex officio* County Treasurer may appoint one Deputy Treasurer while he is acting in the capacity of Tax Receiver, for the period of ninety days in each year, who shall receive the sum of four dollars a day for each day's service actually performed. The County Recorder for services as County Recorder and *ex officio* Auditor shall receive the sum of eighteen hundred dollars a year. The District Attorney for services as District Attorney and *ex officio* County Superintendent of Public Schools shall receive the sum of eighteen hundred dollars a year. Each County Commissioner shall receive the sum of six hundred dollars a year for his services. The Justice of the Peace for services as Justice of the Peace and *ex officio* Coroner, in any township wherein the number of votes cast at the last general election equaled or exceeded twelve hundred, shall receive the sum of nine hundred dollars a year and such fees in civil cases only as are now allowed by law; *provided*, such Justice of the Peace shall have no claim against the county for services rendered in civil or criminal cases. The Constable of each township wherein the number of votes cast at the last general election equaled or exceeded twelve hundred shall receive the sum of nine hundred dollars a year and such fees in civil cases only as are now allowed by law; *provided*, such Constable shall have no claim against the county

Storey county officers.
Salary of Sheriff.

May appoint deputies.

Salary of County Clerk.

May appoint deputy.

Salary of County Recorder.

Salary of District Attorney.

County Commissioners.

Justice of the Peace.

Constables.

Justice of
the Peace.

Constables.

for services rendered in civil or criminal cases. The Justice of the Peace in each township wherein the number of votes cast at the last general election equaled or exceeded three hundred shall receive for his services the sum of four hundred and eighty dollars a year and such fees as are now allowed by law. The Constables in the townships last named shall each receive for his services the sum of four hundred dollars a year; *provided*, neither such Justices of the Peace nor such Constables shall have any claim against the county for services rendered in civil or criminal cases. Nothing in this Act shall affect Justices of the Peace or Constables in any county other than Storey.

SEC. 2. This Act shall take effect from and after its passage; and it shall be construed to regulate and authorize the payment of the salaries fixed in section one, to the officers therein named, from and after the first Monday of January, 1895.

CHAP. XX.—*An Act to amend an Act entitled "An Act concerning the fees of Justices of the Peace," approved March 11, 1867.*

[Approved February 27, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended so as to read as follows:

Fees of
Justices of
the Peace.

Section one. Justices of the Peace shall be allowed the following fees for their services: For filing each paper, twenty-five cents; for issuing any writ or paper, by which suit is commenced, one dollar; for entering cause in docket, fifty cents; for subpoena to each witness, twenty-five cents; for administering oath or affirmation, twenty-five cents; certifying to the same, twenty-five cents; for issuing writ of attachment or arrest, or order for the delivery of property, two dollars; for entering any final judgment, per folio, for the first folio, one dollar; for each additional folio, fifty cents; for taking and approving any bond or undertaking required by law to be taken or approved by him, one dollar; for issuing a venire, one dollar; for taking deposition, per folio, twenty-five cents; for issuing commissions to take testimony, one dollar; for copy of any judgment, order, docket, proceeding or paper in his office, per folio, twenty-five cents; for entering satisfaction of judgment, fifty cents; for issuing execution, one dollar; for taking acknowledgments of deeds or other instruments, including certificates, for the first name, one dollar; for each subsequent name, twenty-five cents; for issuing supersedeas to an execution, one dollar; for making up and transmitting transcript and paper on appeal, two dollars; for issuing search warrant, one dollar; for celebrating marriage and returning certificate to the Recorder, five dollars; for issuing writ of restitution, one dollar; for all services and proceedings in a criminal action, the same fees as are allowed in civil cases, but in no case shall there be a charge against the county

exceeding in any one case the sum of ten dollars; *provided*, that in preliminary examinations in criminal cases, the Justice of the Peace, sitting as a committing magistrate, shall be allowed, in addition to other fees allowed by law, fifty cents for the first folio, and twenty-five cents for each additional folio; for taking bail after commitment in criminal cases, to be collected from the defendant, one dollar; for entering any cause without process, one dollar; for entering judgment by confession, as in the District Court, three dollars; for each motion, exception, rule, order, default, dismissal, discontinuance or non-suit, and for filing each paper required to be filed, twenty-five cents.

CHAP. XXI.—*An Act for the relief of Thomas Giblin.*

[Approved February 28, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this Act it shall be lawful for the Board of County Commissioners of Elko county, and they are hereby directed to audit and allow upon presentation to said Board at any regular or special session the claim of Thomas Giblin in the sum of two hundred and fifty (\$250) dollars subscribed and paid by him in full, to what was known as the University Building Company at Elko in the year 1873; *provided*, that said Board of Commissioners are fully satisfied that said amount was fully paid into said fund and that no part thereof has been reimbursed to the said Thomas Giblin.

County Commissioners to allow claim of Thomas Giblin.

SEC. 2. It shall be the duty of the County Auditor of Elko county and he is hereby instructed to draw his warrant in favor of the said Thomas Giblin or his legal representative, and the County Treasurer of Elko county is hereby authorized and directed to pay the same upon the presentation.

Auditor to draw warrant.

SEC. 3. All Acts or parts of Acts inconsistent or repugnant to the provisions of this Act are hereby repealed.

SEC. 4. This Act shall take effect and be in full force from and after its approval.

CHAP. XXII.—*An Act to provide for copying the Journal of the Senate for the Seventeenth Session.*

[Approved February 28, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one hundred dollars is hereby appropriated out of the Legislative Fund of the State Treasury, to be paid to Miss Ida Biroth for copying the Journal of the Senate of the Nevada State Legislature for the State Printer.

Copying Senate Journal.

SEC. 2. Upon the receipt of a certificate from Eugene Howell, Secretary of State, that the Journal of the Senate for the

Secretary of State to certify. Seventeenth Session of the Nevada Legislature has been correctly copied and delivered to the Secretary of State, the Controller shall draw his warrant in favor of the said Miss Ida Biroth named in section one of this Act, and the State Treasurer shall pay the same.

CHAP. XXIII.—*An Act to authorize the County Commissioners of Eureka county to allow the claims and authorize warrants to be drawn on the General Fund of the county therefor of all persons in the county who have complied with section one of an Act entitled "An Act to encourage the growth of forest trees," approved March 7, 1873, and the amendments thereto.*

[Approved March 1, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

To allow claims for tree planting in Eureka county.

SECTION 1. The Board of County Commissioners of Eureka county are hereby authorized to allow the claims of all persons for bounty in Eureka county, who have planted forest trees and cultivated the same in compliance with section one of an Act entitled "An Act to encourage the growth of forest trees," approved March 7, 1873, and the amendments thereto, upon proof to the satisfaction of said Board that said persons have planted and cultivated forest trees in compliance with the first section of said Act.

CHAP. XXIV.—*An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, and to repeal certain Acts relating thereto," approved March 23, 1891.*

[Approved March 1, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one hundred and fifty of said Act is hereby amended so as to read as follows:

County Commissioners authorized to levy ad valorem tax.

Section one hundred and fifty. The Board of County Commissioners in each county of this State are hereby authorized and empowered to levy annually, on or before the first Monday in March, an ad valorem tax for county purposes not exceeding the sum of two dollars on each one hundred dollars value of taxable property in the county and such special taxes as may be authorized and required by law; *provided*, the total tax levy in any one year for all purposes shall not exceed five dollars on each one hundred dollars value of taxable property in any county or part thereof; *provided*, no levy in excess of one dollar and fifty cents on each one hundred dollars value of taxable property therein shall be so levied in any county of this State for county purposes unless the county is indebted for liabilities contracted

prior to January 1st next preceding the making thereof and not bonded or funded, when a levy for county purposes, within the limit first above prescribed, such as in the judgment of the County Commissioners will enable the county to discharge such indebtedness and meet the expenses of the current year, may be levied.

CHAP. XXV.—*An Act to amend section three of an Act entitled "An Act for the preservation of wild game, and for the preservation of beaver and otter within the State of Nevada, and to repeal all other Acts in relation thereto," approved February 27, 1893.*

[Approved March 2, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said Act is amended so as to read as follows:

Section three. It shall be unlawful for any person or persons, firm, company, corporation or association to catch, kill, net, pound, weir, cage, trap or destroy, or to pursue with such intent, between the first day of March of each and every year and before the fifteenth day of July following, any sage cock, hen, or chicken within this State; and each and every person or persons, firm, company, corporation, or association who shall sell, buy, transport or give away, or offer or expose for sale, or have in his or their possession any sage cock, hen, or chicken that have been taken, killed, captured, snared, netted, pounded, weired, caged or trapped contrary to the provisions of this section shall be guilty of a misdemeanor and punished as hereinafter provided.

Close season
for sagehens

CHAP. XXVI.—*An Act to repeal an Act entitled "An Act requiring payment of licenses for compensated services of stallions," approved March 14, 1891.*

[Approved March 2, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. An Act entitled "An Act requiring payment of licenses for compensated services of stallions," approved March 14, 1891, is hereby repealed.

License for
repealed.

CHAP. XXVII.—An Act to authorize the School Trustees of School District Number Three, in Humboldt county, Nevada, to issue bonds for school purposes.

[Approved March 2, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Board of
School
Trustees
to issue
bonds.

SECTION 1. The Board of School Trustees of School District No. 3 in the town of Lovelock, Humboldt county, Nevada, are hereby authorized under the provisions of this Act to issue bonds bearing interest, not exceeding seven (7) per cent. per annum, for a sum not exceeding seven thousand five hundred (\$7,500) dollars in United States gold coin, none of which said bonds shall run for a period longer than fifteen (15) years from the date thereof.

Denomina-
tion of
bonds.

SEC. 2. Said bonds shall be issued for sums not less than one hundred (\$100) dollars each and the interest thereon shall be payable annually, the coupons for such payment of interest to be attached to each of said bonds.

Bonds, when
payable.

SEC. 3. The principal of said bonds shall be made payable as follows: Five hundred (\$500) dollars of said bonds shall be made payable January first, A. D. eighteen hundred ninety-six (1896), and the remainder shall be made payable in annual payments thereafter, none of which bonds shall run for a period longer than fifteen (15) years from the first of January, A. D. eighteen hundred ninety-six (1896).

Board to
purchase
ground.

SEC. 4. The said Board of Trustees are hereby authorized to purchase a suitable piece of ground in or near said town of Lovelock, centrally and conveniently located, if the piece of ground already owned by said District is not deemed suitable to build a school house upon, and upon the ground so purchased, or upon the ground already owned by said District as they shall select, shall build thereon a school building with the necessary and proper out houses and appurtenances, the aggregate cost of said land, building and other improvements not to exceed the sum of seven thousand five hundred (\$7,500) dollars, and the said Board of Trustees shall immediately proceed to issue the bonds herein provided for, and, when the same are disposed of shall proceed with due diligence to select said land, erect said building and make said improvements in accordance with the provisions of this Act.

How signed
and counter-
signed.

SEC. 5. The bond and coupons herein provided for shall be signed by the Chairman and Clerk of said Board of Trustees, and countersigned by the County Treasurer of said Humboldt county.

Treasurer to
receive and
keep money
from sale of
bonds

SEC. 6. All moneys received from the sales of said bonds shall be paid into the County Treasury, and the County Treasurer is hereby required to receive and safely keep the same in a fund to be known as the Lovelock "School Building Fund," and to pay out said money only on warrants properly authenticated by the County Auditor upon bills duly allowed by the

Board of School Trustees, and approved by the County Superintendent. The County Treasurer shall be liable on his official bond for the safe keeping of said moneys which shall come into his hands, and for the faithful discharge of his duties in relation thereto.

SEC. 7. For the purpose of providing for the payment of the interest upon said bonds the Board of Commissioners of said Humboldt county, are hereby authorized and required at the time of the annual levy of taxes for State and county purposes, for the year eighteen hundred and ninety-five (1895), and annually thereafter, to levy upon the property of said school district such tax as in their judgment will produce the amount of money necessary to pay the interest upon said bonds as herein provided. The taxes so levied shall be assessed and collected in the manner of the assessment and collection of other taxes; shall be paid into the County Treasury and kept by the Treasurer in a fund to be known as the "School District Number Three Interest Fund," and the money in said fund shall be disbursed by said Treasurer in payment of the interest upon said bonds as the same becomes due upon presentation and surrender by the holder of the coupons therefor.

Board of Commissioners to levy tax to pay interest on bonds.

SEC. 8. For the purpose of providing for the payment of the bonds hereby authorized to be issued, the Board of County Commissioners of Humboldt county are hereby authorized and required, at the time of the annual levy of taxes for State and county purposes for the year eighteen hundred and ninety-five (1895), and annually thereafter, to levy upon all taxable property of said School District No. 3, sufficient to raise the sum of five hundred (\$500) dollars each year, sufficient to pay the principal of the bonds issued under the provisions of this Act, which will become due during the next ensuing year. The taxes so levied shall be assessed and collected as other taxes are assessed and collected, and shall be paid into the County Treasury, and by him assigned to the General Fund of said county. At maturity of said bonds, they shall be paid by the County Treasurer out of the General Fund of the county upon the presentation and surrender of said bonds. If the tax, so as aforesaid levied for the redemption of said bonds, should exceed the sum of five hundred (\$500) dollars a year, whenever the aggregate amount of money so collected, shall equal the full sum necessary to redeem said bonds, the tax hereby authorized for said purpose shall cease and should there be any excess over and above said sum of seven thousand five hundred (\$7,500) dollars, the amount of said excess shall be transferred to the School Fund of said District. Should the amount of said tax realized up to and including the year nineteen hundred and ten, be less than the amount necessary for the redemption of said bonds, they shall nevertheless be redeemed and paid out of the said General Fund as herein provided and a special tax shall be levied by the County Commissioners upon the property within said School District for the year nineteen hundred and eleven sufficient to cover said deficiency, which tax shall be

To raise \$500 annually to pay principal on bonds

levied, assessed and collected in the usual manner and paid into the General Fund of said county.

CHAP. XXVIII.—*An Act to authorize the County Commissioners of Douglas county, Nevada, to issue bonds for road purposes, and to provide for the redemption thereof.*

[Approved March 4, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

COUNTY COMMISSIONERS OF DOUGLAS COUNTY TO ISSUE BONDS FOR ROAD PURPOSES.

SECTION 1. The Board of County Commissioners of Douglas county, Nevada, are hereby authorized and empowered to issue bonds, in the name of said county, for an amount not exceeding the sum of ten thousand dollars, United States gold coin, exclusive of interest, for general road purposes, or for the purchasing or constructing of a road from Carson valley to connect with the lower Genoa and Carson road in said county, and bridges incidental thereto, and for the building and improvement of other roads in said Douglas county, and the money obtained by the sale of said bonds shall be placed in the General Road Fund of said county.

HOW SIGNED AND COUNTER-SIGNED.

SEC. 2. The said Board of County Commissioners shall cause said bonds to be prepared, and they shall be signed by the Chairman of said Board, and countersigned by the Clerk thereof, who shall affix the seal of the said county thereto. Coupons for interest shall be attached to each bond and shall be consecutively numbered and be signed by the Chairman of said Board of County Commissioners.

DENOMINATION OF BONDS \$1,000 EACH.

SEC. 3. The said bonds shall be issued in denominations of one thousand dollars each, numbered consecutively, with interest thereon at a rate not to exceed six per cent. per annum, payable annually, in United States gold coin on the first Monday in January of each year at the office of the County Treasurer of said Douglas county. On the first Monday in January, A. D. nineteen hundred, and every twelve months thereafter, one of said bonds shall be paid and taken up; and whenever the County Treasurer shall pay any coupons or bond, under the provisions of this Act, he shall cancel the same in the usual manner and turn the same over to the County Auditor, who shall give him credit therefor.

CHAP. XXIX.—*An Act to amend an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March 20, 1865.*

[Approved March 4, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twenty-six of said Act is hereby amended so as to read as follows:

Section twenty-six. No Trustee shall be pecuniarily interested in any contract made by the Board of Trustees of which he is a member; *provided*, that any School District in this State which, at the last school census taken in the year 1894 by the School Census Marshal in said district, had an enumeration of not less than one hundred and fifty school census children, and not exceeding four hundred, resident within such district, or any district which may in the future have an enumeration of not less than one hundred and fifty school census children, and not exceeding four hundred, the Board of Trustees for such district, may purchase supplies for such district not exceeding in the aggregate the sum of thirty dollars in any one month from one of their number, when in the judgment of said Board of Trustees it would be an inconvenience not to do so, but the member from whom said supplies are purchased shall not vote upon the allowance of any bill for the same, and any contract made in violation of this section shall be null and void.

Board of
Trustees
may
purchase
supplies.

CHAP. XXX.—*An Act to refund the subscriptions paid in aid of the Nevada Exhibit at the Midwinter Fair, and to provide for the payment of the outstanding indebtedness incurred in making the said exhibit.*

[Approved March 4, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of fourteen thousand three hundred and eighty-seven dollars and eleven cents (\$14,387 11) is hereby appropriated out of any moneys in the General Fund of the State of Nevada, for the purpose of refunding the subscriptions and donations paid in aid of the Nevada Exhibit at the Midwinter Fair held at San Francisco, California, A. D. 1894, and for the payment of the outstanding indebtedness incurred in making the said exhibit, as follows:

Amount ap-
propriated.

To Theo. Winters, \$137 50; to R. K. Colcord, \$100; to M. D. Foley, \$100; to W. O. H. Martin, \$100; to J. R. Bradley, \$100; to R. R. Bigelow, \$100; to E. Williams, \$100; to John Lee, \$100; to W. J. Westerfield, \$100; to G. W. Grayson & Co., \$100; to Carson Water Company, \$100; to R. L. Horton, \$100; to Gerlach & Co., \$100; to D. O. Mills, \$250; to Miller & Lux, \$100; to Southern Pacific Railroad Co., \$500; to J. W. Mackay, \$500; to Henderson Banking Company, \$100; to G. F. Talbot, \$100; to W. T. Smith, \$100; to Lander county, \$500; to F. G. Newlands, \$200; to Union Mill and Mining Co., \$200; to Humboldt county, \$500; to Churchill county, \$500; to D. B. Lyman, \$100; to R. P. Keating, \$100; to C. E. Calm, \$10; to D. L. Bliss, \$100; to John P. Jones, \$500; to J. B. Mallon, \$100; to F. A. Bierke, \$50; to Ormsby county, \$500; to W. E. Sharon, \$100; to citizens of Elko county, \$1,000; to R. W. Morrow, \$300; to Frank Bell, \$100; to First National Bank, \$250; to A. E. Cheney, \$100; to G. H. Thoma, \$100; to Agency

To whom ap-
propriated.

Bank of California, \$250; to F. W. Sharon, \$150; to Lovelock Commercial Company, \$100; to Pacific Borax Company, \$200; to Bank of Nevada, \$431 43; to J. W. Freeman, \$50; to First National Bank, Winnemucca, \$250; to W. E. F. Deal, \$100; to A. G. Hawes, \$250; to G. F. Turritin, \$100; to Wells, Fargo & Co., \$250; to J. P. Woodbury, \$100; to Nevada Salt and Borax Company, \$200; to J. T. Jones, \$100; to D. A. Bender, \$100; to D. W. Earl, \$250; to R. L. Fulton, \$50; to H. Harris, \$100; to Wheeler, Hall & Co., \$100; to J. A. Yerington, \$1,182 02; to J. F. Aitken, \$14 25; to C. A. Thurston, \$9 50; to Miss Ollie Bray, \$50; to Mrs. R. M. Clarke, \$307 85; to C. H. Stoddard, \$26 66; to J. D. Ernst, \$61 88; to Mrs. J. D. Ernst, \$50; to Mahoney Bros., \$42 75; to Illustrated Publishing Company, \$33; to Overland Freight Transfer Company, \$25; to Mrs. R. S. Meacham, \$10; to R. L. Horton, \$60; to J. E. Jones, \$60; to Chas. E. Bray, \$16 75; to United Carriage Company, \$72; to State Board Agriculture, \$100; to S. P. Davis, \$40 50; to L. H. Taylor, \$383 42; to E. C. McClellan, \$110; to Armstrong & De Guerre, \$302 60.

Other claims
to be paid.

SEC. 2. Each and every person, county, corporation, company, association, or firm, having subscribed and paid, or donated, any sums of money in aid of the Nevada Exhibit at the said Midwinter Fair, or to whom any indebtedness may be owing on account thereof, shall have a claim against the State of Nevada, for the amount of such subscription paid, donation or indebtedness, and may present such claim to the State Board of Examiners within ninety days after the approval of this Act in the same manner as is now provided by law for the presentation of claims against the State; *provided*, that the total amount of such claims allowed by the State Board of Examiners shall not exceed the amount appropriated in this Act; *and provided further*, that all such claims not so presented within ninety days after the approval of this Act shall be forever barred.

State
Controller
to draw
warrant.

SEC. 3. The State Controller is hereby required to draw his warrant for any and all amounts allowed by the State Board of Examiners under the provisions of this Act not exceeding in the aggregate the amount herein appropriated, and the State Treasurer is hereby required to pay the same out of the fund herein created.

CHAP. XXXI.—*An Act permitting the establishment of county high schools in the various counties of this State, and providing for the construction, maintenance and management of the same.*

[Approved March 4, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

To establish
high schools

SEC. 1. There may be established in any county in this State a high school; *provided*, that at any general or special election held in said county after the passage of this Act, a majority of all the votes cast at such election, upon the proposition to estab-

lish a high school, shall be in favor of establishing and maintaining such high school at the expense of said county.

SEC. 2. The Board of County Commissioners at any general election to be held in any county after the passage of this Act, upon the presentation of a petition signed by fifty or more qualified electors, taxpayers of said county, at any regular meeting of said Board held not less than eight weeks before any general or special election, must make an order submitting the question of establishing, constructing, and maintaining a county high school to the qualified electors thereof. The Board of County Commissioners, upon the presentation of said petition, if they deem it expedient, may order a special election for said purpose. Said election shall be conducted in the manner prescribed by law for conducting elections, and the ballots at such election shall have printed thereon the words "For a County High School" and the words "Against a County High School." The votes cast for and against said county high school at any election therefor, shall be counted and returns thereof made and canvassed in a manner provided for by law for counting, making returns, and canvassing the votes of a general election; *provided*, that the election officers appointed to conduct any special election held for said purpose, as required by law, shall perform all services required of them by law in holding and conducting such elections, without any fees or pay therefor.

Board of County Commissioners must make order.

Board may order special election.

The election held according to law.

SEC. 3. If the majority of all the votes cast on the proposition to establish a high school are in the affirmative it shall be the duty of the Board of County Commissioners, within thirty days after canvassing said vote, to locate the school in some suitable and convenient place in said county. The County Board of Commissioners, together with the County Board of Examiners, who shall be known as the County Board of Education, shall also at the same time estimate the cost of purchasing suitable grounds, erecting a building and furnishing the same for the accommodation of the school together with the cost of conducting such school for the next twelve months; *provided*, that the County Board of Education may rent suitable rooms for the accommodation of the school. If rooms can be obtained in the public school buildings in the place in which said school shall be located, such rooms shall be given the preference.

Board to locate the school.

County Board of Education to estimate cost of purchasing grounds, erecting buildings, etc.

SEC. 4. When such estimate shall have been made, the Board of County Commissioners shall thereupon immediately proceed to levy a special tax upon all the assessable property of the county sufficient to raise the amount estimated as necessary for the purchase of suitable grounds, procuring plans and specifications, erecting a building, furnishing the same, fencing and ornamenting the grounds, and the cost of running said school for the following twelve months. Said tax shall be computed, entered on the tax roll, and collected in the same manner as other taxes are computed, entered and collected, and the amount so collected shall be deposited in the County Treasury, and be known and designated as the "County High School Fund," and shall be drawn from the treasury as other moneys so deposited are drawn.

Special tax to be levied by Board of County Commissioners.

Building to
be deeded to
County
Board of
Education.

SEC. 5. When the Board of County Commissioners shall have properly provided and completed the building, together with the necessary fencing of the grounds so purchased, they shall cause the same to be deeded to the County Board of Education, who shall hold the same in trust for the county.

To consti-
tute County
Board of
Education.

SEC. 6. The Board of County Commissioners of such counties wherein a county high school shall be established shall, after the expiration of the term for which the County Superintendent holding office at the time of the establishment of a county high school in that county, thereafter appoint two competent persons, who with the County Superintendent shall constitute the County Board of Education. Such appointments shall be made biennially at the first meeting of the Board of County Commissioners held after the first day of January following the election of a County Superintendent of Schools, and the persons so appointed shall hold their office two years or until their successors are appointed and qualified.

Duties of
County
Board of
Education.

SEC. 7. It shall be the duty of the County Board of Education to furnish, annually, an estimate of the amount of money needed to pay all the necessary expenses of running said school; to adopt the necessary text books, to adopt and enforce a course of study for said school; to employ suitable teachers, janitors and other employes and discharge such employes when sufficient cause therefor shall exist; and to do any and all other things necessary to the proper conduct of the school. The course of study shall be such as will, when it is completed by the student, fit him for admission to the University of Nevada.

County High
School Fund

SEC. 8. It shall be the duty of the Board of County Commissioners to include in their annual tax levy the amount estimated by the County Board of Education as needed to pay the expenses of conducting the county high school; and such amount, when collected and paid into the County Treasury, shall be known as the "County High School Fund," and may be drawn therefrom for the purpose of defraying the expenses of conducting said county high school, in the manner now provided by law for drawing money by School Trustees.

Who shall be
admitted.

SEC. 9. All high schools shall be open for the admission of such pupils residing in the county as shall be able to pass the examination for admission, which examination shall be conducted by the County Board of Education and the Principal of the county high school.

SEC. 10. All previous laws conflicting with any of the provisions of this Act are hereby repealed.

CHAP. XXXII.—*An Act concerning the residence of the Lieutenant-Governor.*

[Approved March 5, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Need not re-
side at State
Capital.

SECTION 1. The Lieutenant-Governor shall not be required to reside at the seat of State government.

SEC. 2. All Acts and parts of Acts in conflict with the provision of this Act are hereby repealed.

CHAP. XXXIII.—*An Act to authorize the Board of Funding Commissioners of Esmeralda county to issue bonds for the purpose of providing a fund to pay the bonded indebtedness of said county, and to place all of the financial transactions of said county on a cash basis.*

[Approved March 5, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. In order to refund the indebtedness of Esmeralda county, for which bonds are now issued and at present outstanding under the Act approved February 28, 1883, and March 1, 1883, and to place all of the financial transactions of said county on a cash basis. The Chairman of the Board of County Commissioners, the County Auditor, and the County Treasurer of said county and their successors in office, are hereby made and shall constitute a Board of Commissioners, to be known as the Funding Commissioners of Esmeralda county, to have and exercise the powers and perform the duties hereinafter prescribed in this Act.

Funding Commissioners of Esmeralda county, how constituted.

SEC. 2. The said Funding Commissioners shall cause to be prepared and ready for use on or before the 9th day of April, 1895, fifteen thousand (\$15,000) dollars, or less, and on or before the 9th day of April, 1897, the further sum of fifteen thousand (\$15,000) dollars, or less, bonds of the county of Esmeralda, and to pledge the good faith and credit of said county to the payment of both principal and interest thereof in United States gold coin. Said bonds shall be of the denomination of \$100, \$300, \$500 and \$1,000 each, and each shall purport in substance that the said county of Esmeralda owes the holder thereof a sum of money in gold coin of the United States of America, to be expressed therein, bearing interest at the rate of not to exceed seven per cent. per annum, from and after the 9th day of April, 1895, for the first \$15,000 of said bonds, and from and after the 9th day of April, 1897, on the second issue of \$15,000, or less, of said bonds, said interest payable semi-annually after the first payment of interest on the first day of January and July in each year; the first payment of interest to be made on the bonds issued on the 9th day of April, 1895, shall be on the first day of January, 1896, and semi-annually thereafter on the days above stated, and the first payment of interest to be made on the bonds issued on the 9th day of April, 1897, shall be made on the first day of January, 1898, and semi-annually thereafter as above stated, and all interest and the principal of said bonds to be paid at the office of the County Treasurer of said county. One-third of the bonds hereby authorized to be issued on or before the 9th day of April, 1895, the principal of said bonds shall be due and payable at the

Commissioners to prepare bonds.

Bonds, when due and payable.

Treasurer's office of said county on the first day of January, 1905, one-third on the first day of January, 1910, and the remaining one-third on the first day of January, 1915, and the bonds hereby authorized to be issued on or before the 9th day of April, 1897, shall become due and payable in three equal installments, one-third of the principal of said bonds shall be due and payable on the first day of January, 1920, one-third on the first day of January, 1925, and the remaining one-third on the first day of January, 1930, and the whole thereof shall be paid at the office of the Treasurer of said county. Said bonds shall be signed by the Chairman of the Board of County Commissioners of said county, countersigned by the Auditor and indorsed by the Treasurer, and shall be attested with the seal used by the Clerk of the Board of County Commissioners of said county. Said bonds shall have attached thereto coupons for the payment of interest thereon semi-annually; and said coupons shall be numbered, and shall respectively express the amount of interest due and when payable, and shall be signed by the Chairman of the Board of County Commissioners and the Treasurer.

Bonds to be signed by the Chairman of the Board of County Commissioners.

SEC. 3. It shall be the duty of the Funding Commissioners, the Auditor and Treasurer to each keep a separate record, of all such bonds as may be issued under the provisions of this Act, showing the number, date, denomination and amount, and to whom issued, together with the coupons that may be issued, and whenever any interest shall be paid upon any bond issued, the coupon or coupons for the interest then due shall be separated from the bond, delivered to the Treasurer, who shall cancel the same, and deliver it or them to the County Auditor, taking his receipt therefor, whose duty it shall be to file the same in his office. When any bonds issued under the provisions of this Act are redeemed, the County Treasurer shall cancel the same by writing or printing across the face of the same the words "paid" and sign the same officially and deliver the same to the County Auditor, taking his receipt for the same, whose duty it shall be to file the same in his office.

SEC. 4. As soon as the said bonds are issued under the provisions of this Act, the Board of Funding Commissioners are hereby authorized to exchange an equal number of new bonds for the bonds now due and payable on the 9th day of April 1895, but in the event such exchange cannot be made, then the bonds authorized by this Act to be issued, or so many thereof as may be required to meet the wants of the county, shall be sold at not less than par and the proceeds of such sale to be applied in the payment of the bonds now due, and issued under the Act of March 1, 1883, and the residue thereof to be placed in the General Fund of the county to meet the payment of claims that are now due and to become due, and the said Funding Commissioners are hereby authorized to either exchange the bonds authorized to be issued under the provisions of this Act, on or before the 9th day of April 1897, for the bonds to fall due on that date, but in case the exchange cannot be made, then to

sell said bonds at not less than par and pay off said indebtedness, when it becomes due.

SEC. 5. In order to meet the semi-annual payment of interest and until the principal and interest of said bonds to be issued, shall have been fully paid, in addition to the ordinary taxes for county purposes, the County Commissioners of Esmeralda county shall for the year A. D. 1895, and annually thereafter, until the principal and interest is paid, order and cause to be levied and collected at the same time, and in the same manner as other revenues of said county are levied and collected, a special tax of not exceeding forty cents on each one hundred dollars of taxable property in said county, and the money raised from such tax shall be placed in the "Interest and Sinking Fund" of said county, and shall so far as necessary be applied to the payment of the semi-annual interest on said bonds, at the times herein stated. The overplus shall annually be placed in the General Fund of said county, to be replaced in said "Interest and Sinking Fund" when needed to pay any principal when due of said bonds, and if the amount so raised from said special tax, and in said "Interest and Sinking Fund" shall be insufficient to pay the interest or principal of said bonds as they become due, then the sum lacking shall be made up out of the General Fund of said county.

A special tax to be levied.

Money from tax to be placed in the Interest and Sinking Fund.

SEC. 6. Whenever at any time there shall be in the said "Interest and Sinking Fund" a sum of money amounting to one thousand dollars or upwards, and all interest due on said bonds shall have been paid, and the amount of money in the said fund will not be needed for the payment of the future interest to accrue within the ensuing twelve months, the Board of Funding Commissioners may insert an advertisement in at least one newspaper published in the county, for a period of at least three weeks, stating the amount of money on hand to be applied to the redemption of said bonds and notifying the holders of the lowest numbered outstanding bonds, that the bonds mentioned in the said advertisement will be paid upon presentation to the County Treasurer.

Board of Funding Commissioners to advertise.

SEC. 7. In case the owner and holder of the lowest numbered outstanding bond or bonds, neglects or refuses to surrender bonds for payment, then and in such case the Board of Funding Commissioners may redeem any numbered outstanding bond or bonds that may be offered for payment; *provided*, that the amount paid for such bond or bonds shall not exceed the par value of the said bond or bonds; *and provided further*, that nothing in this Act shall be so construed as to require the purchasing of bonds as herein provided, when such purchase would have a tendency to reduce the amount of money in the "Interest and Sinking Fund" below the amount required to pay any bond or bonds as they become due.

SEC. 8. It shall be the duty of the Funding Commissioners to negotiate for the exchange, or sale of said bonds. None of said bonds shall be sold for less than their par value.

Funding Commissioners to negotiate for exchange or sale of bonds.

SEC. 9. No fees or compensation shall be allowed, or paid to any officer of said county, for his official services in carrying out

To be
transferred
to the
General
Fund.

the provisions of this Act, but all necessary expenses incurred in so doing shall be paid by said county. After all bonds are redeemed and interest paid, all money, if any remaining in the Interest and Sinking Fund, shall be transferred to the General Fund.

SEC. 10. Nothing in this Act shall be so construed as to in [any] manner interfere, with the payment to Esmeralda county, by the county of Lyon, its proportion of indebtedness as at present required by law.

SEC. 11. All Acts or parts of Acts in so far as they are in conflict with any of the provisions of this Act are hereby repealed, and the faith of the State of Nevada is hereby pledged that this Act shall not be repealed, nor taxation thereby imposed, omitted until all the bonds issued under and by virtue thereof shall have been paid in full, both principal and interest.

CHAP. XXXIV.—*An Act supplementary to an Act entitled "An Act to fund the Court House bonds of Nye county," approved February 23, 1881.*

[Became a law March 7, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relating to
Nye county.

SECTION 1. The Act entitled "An Act to fund the Court House bonds of Nye county," approved February 23, 1881, shall remain in force and its provisions are hereby extended for any period of time within sixteen years from the first day of January, eighteen hundred and ninety-seven.

SEC. 2. This Act shall take effect and be in force from the first day of January, eighteen hundred and ninety-seven.

CHAP. XXXV.—*An Act to amend section one hundred and ninety-six of an Act entitled "An Act to regulate the settlement of the estates of deceased persons," approved November 29, 1861, as amended December 19, 1862.*

[Approved March 7, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one hundred and ninety-six of said Act, as amended December 19, 1862, is hereby amended so as to read as follows:

Relating to
estates.

Section one hundred and ninety-six. The executor or administrator shall take into his possession all the estate of the deceased, real and personal, and shall collect all debts due to the deceased. For the purpose of bringing suits to quiet title, or for partition of such estate, the possession of the executor or

administrator shall be deemed the possession of the heirs or devisees; such possession by the heirs or devisees shall be subject, however, to the possession of the executor or administrator for all other purposes; and the executor or administrator shall be entitled to be represented by an attorney, to be appointed by him, in every step or proceeding connected with, or pertaining to the management or control of the estate, who may receive for his services rendered to the executor or administrator such reasonable compensation as may be allowed by the Court, to be paid out of the money belonging to the said estate.

Attorney's compensation to be allowed by the Court.

CHAP. XXXVI.—*An Act to amend section four of an Act entitled "An Act for the preservation of wild game, and for the preservation of beaver and otter within the State of Nevada, and to repeal all other Acts in relation thereto," approved February 27, 1893.*

[Approved March 7, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of said Act is hereby amended so as read as follows:

Section four. It shall be unlawful for any person or persons, firm, company, corporation or association, to catch, kill, or destroy, or to procure with such intent, at any time after the first day of January and before the first day of September of each year, any deer, antelope, elk, mountain sheep, goat or caribou, or to have in his or their possession, or to sell, buy, transport, give away, or offer or expose for sale any of the animals mentioned in this section during the season when the killing, injuring, or pursuing is herein prohibited; and any person or persons, firm, company, corporation or association who shall catch, kill or destroy, or who shall pursue with such intent, or who shall buy, sell, transport, give away or expose for sale, or have in his or their possession any of the animals mentioned in this section, during the season mentioned in this section, shall be deemed guilty of a misdemeanor and punished as hereinafter provided.

Close season for certain wild animals.

Penalty.

CHAP. XXXVII.—*An Act to amend section ten of an Act entitled "An Act entitled an Act in relation to public highways," approved March 15, 1875.*

[Approved March 7, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section ten of an Act entitled "An Act entitled an Act in relation to public highways," approved March 15, 1875, shall read as follows:

May petition
County Com-
missioners
to open
roads.

Board of
Commis-
sioners and
owners may
select
viewers.

A third may
be chosen.

Parties
aggrieved
may com-
mence
action.

Section ten. At any time when a majority of the resident taxpayers of a Road District, according to the last previous assessment roll, shall petition the County Commissioners of their counties, for the location, opening for public use, establishment, change or vacation of any public road or highway, or road to connect with any highway heretofore established, any street or alley in any unincorporated town in such county, setting forth in such petition the beginning course, and termination of such road or highway, street, or alley, proposed to be located and opened for public use, established, changed or vacated, together with the names of the owner or owners of the land through which the same will pass, said petition may be presented to the County Clerk of said county, and the Clerk shall lay said petition before the Board of County Commissioners, at their next meeting after the reception of said petition, and thereupon said Board of Commissioners shall, within thirty days thereafter, proceed to locate, open to public use, establish, change or vacate such road, highway, street or alley. Before opening any new road, street or alley, or changing same through private property, such property shall be condemned for public use as follows: The Board of County Commissioners shall appoint one disinterested person, and the owners or agents of the land through which said highway may run, shall select one such person; and the two shall proceed to view out such road, street or alley, and shall ascertain and make estimates of damages done to any property through which it may be located, changed or vacated, after deducting any advantages arising from such location, change or vacation of such road, street or alley, to the owner or owners of such property; *provided*, if the owner or owners shall refuse or neglect, for a period of ten days after receiving notice from said Board of its said appointment, to appoint such person on their part, it shall be the duty of said Board to appoint such person for them; *and provided further*, that if there shall be more than one owner of land through which said highway may run they shall unite in such appointments. If the two viewers cannot agree as to such damages, then they shall choose a third person, and the three persons so selected as viewers shall be authorized to administer oaths, compel the attendance of witnesses before them as road viewers, and their decision in the matter shall be final; *and provided further*, that said viewers shall take an oath prior to entering upon the discharge of their duties, before some person authorized to administer oaths, to faithfully discharge the duties of their trust in accordance with the provisions of this Act; *and provided further*, that the parties aggrieved by the decision of such road viewers may commence action in the District Court within twenty days from the date of such decision to set aside their award; and upon the final award and decision of such damages, the Board of County Commissioners shall order the Road Supervisor of the district to open, establish, change, or vacate as the case may be, such road, street or alley, according to the petition aforesaid; *provided*, that in no case shall the Commissioners cause any road or street to be opened where the

same shall run diagonally through any lands or lot, so as to greatly impair it in shape, or through an orchard four years old, without the consent of the owner or owners thereof; and in all cases they shall follow legal subdivisional lines of the Government surveys or of town plats, where the same is practicable.

CHAP. XXXVIII.—*An Act to amend an Act entitled "An Act to provide for the building and furnishing of dormitories, and for the purchase of additional land, at the Nevada State University, at Reno, Nevada," approved February 15, 1895.*

[Approved March 7, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of the above entitled Act is hereby amended so as to read as follows:

Section three. The Board of Regents are hereby authorized to purchase additional land adjoining or within convenient distance of the present University campus, if the purchase of such additional land be deemed necessary for the suitable location of either or both of the dormitory buildings hereinbefore provided for, and said land shall not cost to exceed the sum of three thousand dollars. Said Board are further authorized to sell and convey that part of the said University campus not exceeding two acres, at the northeast corner of said campus, in consideration of the conveyance to the State of other land equal or greater in area than said portion so conveyed, if said Board deem such exchange would be advantageous to the State, and the land so acquired more convenient for the erection of either or both of said buildings. And in case the price of the land so authorized to be purchased shall be less than three thousand dollars, said Board are hereby authorized to use the remainder thereof in making necessary improvements upon the land devoted to University purposes, either by the provisions of this or of any other Act of the Legislature.

Board of
Regents
authorized
to purchase
land if
necessary.

CHAP. XXXIX.—*An Act to amend an Act entitled "An Act to incorporate Carson City," approved February 25, 1875.*

[Approved March 8, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section ten, part thirteenth, of the above entitled Act is hereby amended so as to read as follows:

Section ten. Thirteenth—To pass or adopt all ordinances, rules, and regulations, and to do and perform all other acts and

Board of Trustees shall issue certificate of indebtedness.

Condemnation of property.

Board of Trustees to constitute a Board of Appraisers.

things necessary for the execution of the powers and jurisdiction by this Act conferred, and to audit and allow all claims properly payable out of the funds of the city; *provided*, that when there is not sufficient funds in the treasury to pay the same at the time of its presentation, the Board of Trustees shall issue to the claimant a certificate of indebtedness, signed by the President and the Clerk; said certificate to be paid in order of its allowance when there is sufficient money in the treasury to pay the same. Any property, real or personal, necessary for the public use of said city, may be condemned and appropriated in the following manner: The Board of Trustees shall appoint one referee and the claimant or claimants, or owner or owners of the property to be condemned shall appoint one referee; and in the event the two referees so appointed shall not agree in the valuation of the property, or claimant's interest therein, when the two so appointed shall select a third referee and the decision of the majority of such three, as to the valuation of the property, or interest therein, by them appraised shall be reported to the Board of Trustees, and may by them be regarded as final and binding; and upon the tender, in lawful money of the United States, of the sum named by said appraisers for said property to the claimant or claimants, owner or owners thereof, or his or their agent or attorney, such property, or the interest therein appraised shall become and be the property of the city; and the said Board of Trustees may at any time, after twenty days' notice, cause the Marshal to remove all persons and obstruction from such property, in case the same be real, and may take immediate possession of the condemned property, whether the same be real or personal. In case the claimant or claimants, owner or owners of property sought to be condemned as herein provided shall refuse or neglect for twenty days, when required by the Board of Trustees of the city to appoint a referee to value such property, the said Board of Trustees shall constitute a Board of Appraisers of such property, and their valuations shall be final and binding; but no act of condemnation of property, or any claim or interest therein, as herein provided, shall be deemed or held as an admission on the part of the city of the legality of the asserted claim thereto, or right therein; and in the condemnation of property, as in this Act provided, the referees or Board of Trustees, as the case may be, shall consider whether the proposed improvements for which such property is to be condemned will be of any benefit to the persons owning or claiming the said property, or some interest therein; and if they find the same will be of any benefit to such person or persons, they shall estimate the value of such benefit to him or to them, or to such person or persons, and deduct the amount thereof from the estimated value of the property or interest therein condemned.

CHAP. XL.—*An Act to amend section fifty-two of an Act entitled “An Act to provide revenue for the support of the government of the State of Nevada, and to repeal certain Acts relating thereto,” approved March 23, 1891.*

[Approved March 9, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section fifty-two of said Act is hereby amended so as to read as follows:

Section fifty-two. The defendant may answer, which answer shall be verified:

First—That the taxes have been paid before suit.

Second—That the taxes with costs have been paid since suit, or that such property is exempt from taxation under the provisions of section five of this Act. Exempt from taxation.

Third—Denying all claim, title or interest in the property assessed at the time of the assessment. Denying claim.

Fourth—That the land is situate in and has been duly assessed in another county, and the taxes thereon paid.

Fifth—Fraud in the assessment, or in failing to comply with the provisions of this Act; or that the assessment is out of proportion to and above the actual cash value of the property assessed; *provided, however*, that in such last mentioned case, where the defense is based upon the ground that the assessment is above the value of the property, the defense shall only be effectual as to the proportion of the tax based upon such excess of valuation, but in no such case shall an entire assessment be declared void.

CHAP. XLI.—*An Act to amend section four of an Act entitled “An Act to define the manner of electing County Commissioners,” approved February 23, 1893.*

[Approved March 9, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That section four of said Act be, and the same is hereby amended to read as follows:

Section four. County Commissioners shall be elected by the qualified electors of the county wherein they reside as other county officers are now elected. Elected by qualified electors.

CHAP. XLII.—*An Act to amend an Act entitled "An Act to provide for the erection of guide boards on public roads and highways," approved February 21, 1879.*

[Approved March 9, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said Act is hereby amended so as to read as follows:

Shall
constitute a
misdemeanor.

Section three. Any County Commissioner or County Commissioners or any owner or owners of such toll road or roads who shall wilfully neglect to carry out the provisions of this Act before the 1st day of June, 1895, and every person or persons, who shall wilfully tear down, dig up, or in any manner deface, destroy or carry away any such guide board as herein provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars, or by imprisonment in the County Jail for not less than one month nor more than six months or by both such fine and imprisonment.

CHAP. XLIII.—*An Act creating the Honorary Board of Visitors of the Nevada State University, and other matters relating thereto.*

[Approved March 11, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Honorary
Board of
Visitors of
State
University.

SECTION 1. There is hereby created a Board to be known as the Honorary Board of Visitors of the Nevada State University. Said Board shall consist of fifteen members. The Chief Justice of the Supreme Court shall be *ex officio* a member and the Chairman of said Board. In the absence of said Chief Justice the members of the Board may elect one of their number to act as temporary Chairman. The term of office of the members of said Board shall be two years from the date of their appointment, and until their successors are appointed.

Term of
office.

Who shall
act.

SEC. 2. The Governor shall appoint and commission, within forty days after the passage of this Act, from each county, one suitable and discreet person who is interested in higher education, and who is an actual resident of said county, as a member of said Board.

Duties of
Board.

SEC. 3. It shall be the duty of said Board of Visitors to meet annually at the seat of the Nevada State University during commencement week, and inspect the grounds, buildings and equipment of said University, and also inquire into the actual state of the discipline, instruction, police administration and other affairs or concerns of the University. The Board of Visitors shall report thereon to the Governor, within thirty days after each annual meeting, for the information of the people of the

State and of the next succeeding Legislature of the State, their action as such Visitors, with their views and recommendations concerning the University such as they shall deem wise and just and for the best interests of the University.

SEC. 4. The President of the University shall cause at least thirty days' notice to be given to the members of the Honorary Board of Visitors of the time and place of their annual meeting. Notice to Honorary Board of Visitors.

SEC. 5. No compensation shall be made to the members of said Board of Visitors for their services or for their traveling expenses, but the Board of Regents shall pay out of the University Contingent Fund their expenses for board and lodging while at the University.

CHAP. XLIV.—*An Act to amend an Act entitled an Act to amend an Act entitled "An Act regulating the compensation of county officers in the several counties in this State and other matters relating thereto," approved March 11, 1885; approved February 14, 1887; approved February 25, 1889.*

[Approved March 11, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of the original Act as amended February 14, 1887, and February 25, 1889, is hereby amended so as to read as follows:

Section four. On and after the first day of January, A. D. 1897, the Sheriff of Nye county shall receive such fees as are allowed under the provisions of "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 6, 1875, and as *ex officio* Assessor, the Sheriff shall receive eight hundred (\$800) dollars per annum. The Deputy Sheriff shall receive (\$600) per annum. The County Clerk shall receive such fees as are allowed in the Act of March 9, 1865, and such other compensation as is allowed by law. The Recorder and *ex officio* Auditor shall receive nine hundred (\$900) dollars per annum, and such fees as are allowed in the Act of March 9, 1865. The Treasurer shall receive six hundred (\$600) dollars per annum. The District Attorney and *ex officio* Superintendent of Public Schools shall receive six hundred (\$600) dollars per annum. The County Commissioners shall each receive three hundred (\$300) dollars per annum, in full compensation for all services, as such Commissioners; *provided*, that the compensation of the long term County Commissioner elected November 6, 1894, shall not be affected by this Act, but shall be in full force and effect until his present term of office as such Commissioner expires; and *provided further*, that for official services for which the county is liable, the Sheriff and County Clerk shall be paid out of the Salary Fund of Nye county. Relating to Nye county.

Salary of county officers.

Sheriff and County Clerk to be paid out of Salary Fund.

CHAP. XLV.—*An Act to repeal an Act entitled "An Act limiting the duration of sessions of the Legislature of the State of Nevada," approved February 19, 1891, and the Act amendatory thereof, approved February 24, 1893.*

[Approved March 11, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. An Act entitled "An Act limiting the duration of sessions of the Legislature of the State of Nevada," approved February 19, 1891, and the Act amendatory thereof, approved February 24, 1893, are hereby repealed.

Relating to
sessions of
Legislature.

CHAP. XLVI.—*An Act for the relief of L. Stiner.*

[Approved March 11, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Board of County Commissioners of Lander county, Nevada, is hereby authorized, directed and required to allow the claim of L. Stiner for the sum of \$305 14 as a lawful charge against the General Fund of the said Lander county for and on account of unpaid salary due to the said L. Stiner for services rendered as County Commissioner of the said Lander county during the years of 1893 and 1894.

L. Stiner,
relief of.

SEC. 2. The Auditor of Lander county, Nevada, is hereby authorized, directed and required to draw his warrant in favor of the said L. Stiner for the said amount of \$305 14 upon the presentation of the said allowed claim for the same and the Treasurer of the said county is hereby authorized, directed and required to pay the same.

Auditor of
Lander
county to
draw
warrant.

CHAP. XLVII.—*An Act to fix the State tax levy and to distribute the same to the proper funds.*

[Approved March 11, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the fiscal year commencing January 1, 1895, and annually thereafter, an ad valorem tax of ninety cents on each one hundred dollars of taxable property is hereby levied and directed to be collected for State purposes, upon all taxable property in this State, including net proceeds of mines and mining claims, except such property as is by law exempt from taxation. Of the tax hereby levied, sixty-seven and three-tenths cents shall go into the General Fund of the State, seven cents shall go into the Territorial Interest Fund, nine and one-half cents shall go into the State Interest and Sinking Fund, one

State tax
levy.

and one-fifth cents into the State University and Sinking Fund, and five cents into the General School Fund.

CHAP. XLVIII.—*An Act to provide for the construction and furnishing of an annex to the Nevada Insane Asylum, and appropriating sufficient money to construct the same.*

[Approved March 11, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The construction and furnishing of an annex to the Nevada Insane Asylum is hereby authorized; the same to be constructed and furnished under the management and supervision of the Board of Commissioners for the Care of the Indigent Insane and the General Superintendent of said Asylum.

Annex to
Nevada
Insane
Asylum.

SEC. 2. The sum of fifteen thousand dollars (\$15,000) is hereby appropriated out of any money in the General Fund of the State Treasury of the State of Nevada, not otherwise appropriated for the purpose of paying for the constructing and furnishing of such annex, said sum and appropriation to be known as and called the Insane Asylum Annex Fund.

Annex Fund
constituted.

SEC. 3. The State Controller is hereby authorized to draw his warrant on the State Treasurer, and the State Treasurer shall pay out of said Insane Asylum Fund, all sums of claimants for services or supplies, rendered or furnished in or about the construction or furnishing of said annex, or any claim incurred in any manner in carrying out the intent and purposes of this Act after said Board has certified to, and the State Board of Examiners has properly allowed the same.

Controller to
draw
warrant

Moneys paid
out of
Insane
Asylum
Fund.

CHAP. XLIX.—*An Act to amend an Act entitled "An Act to amend an Act entitled an Act to provide for the maintenance and supervision of public schools, approved March 20, 1865, as amended by Acts approved March 6, 1869; approved February 28, 1881; approved March 2, 1885; approved March 12, 1885; approved March 14, 1891; approved March 6, 1893."*

[Approved March 11, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section thirty-nine of said Act is hereby amended so as to read as follows:

Section thirty-nine. The Board of County Commissioners of the several counties of this State are hereby authorized and empowered to create new School Districts, change the boundaries of School Districts heretofore established, or abolish the same whenever in their judgment it shall be for the best interests of

Powers of
Board of
County Com-
missioners.

Empowered
to create
new School
Districts.

the common schools so to do; *provided*, that the boundaries of any School District shall not be changed nor shall any School District with the legal number of school children within said District be abolished for the purpose of joining or consolidating said School District with another School District unless a petition signed by at least three-fifths (3-5) of the residents of said District be presented to said Board of County Commissioners praying for the change in the boundaries or for the abolishment of said District; *provided further*, that when a new School District is organized school shall be commenced within one hundred and twenty (120) days from the action of the Board of County Commissioners creating such new School District, and if school shall not be commenced within the said one hundred and twenty days (120) in the said District, then such action shall become void and no such District shall exist; and *provided further*, that no District organized under the provisions of this Act after its passage shall exceed in size sixteen (16) miles square.

CHAP. L.—*An Act to determine and definitely fix the legal name of the public institution for the care of the indigent insane belonging to the State of Nevada.*

[Approved March 12, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Nevada
Hospital for
Mental
Diseases.

SECTION 1. The public institution of the State of Nevada and the buildings appertaining thereto, established and maintained for the care of the indigent insane of the State, shall hereafter be known as and called the Nevada Hospital for Mental Diseases.

SEC. 2. The words "Insane Asylum," "Institute for the Care of the Insane," and all words of like import, now or heretofore used in any law, process, investigation, subpoena or commitment, or in relation to any Board or Commission pertaining to or in any way concerning the arrest, examination, detention or care of the insane or mentally diseased in the State of Nevada shall be deemed to relate to, and be the equivalent of, Nevada Hospital for Mental Diseases; and hereafter, all processes and proceedings, relating to the insane or mentally diseased of the State of Nevada, shall run and be held in that name.

SEC. 3. All Acts and parts of Acts, in so far as they conflict with the provisions of this Act, are hereby repealed.

CHAP. LI.—*An Act to encourage the construction of railways in Lincoln county.*

[Approved March 12, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Board of County Commissioners of the county

of Lincoln are hereby authorized and directed, whenever, within five years after the passage of this Act, any person or company shall have completed the construction of a first class iron or steel railway, of either broad or narrow gauge, fully equipped with rolling stock and provided with the necessary shops for repairs, in or through said county, a distance of not less than one hundred (100) miles, to issue bonds of said county in any sum not exceeding two thousand dollars (\$2,000) per mile in length of said road (not counting fractions of a mile) lying within said county, subject to the terms and conditions of this Act.

Relating to
railways in
Lincoln
county.

County Com-
missioners
to issue
bonds.

SEC. 2. Said bonds shall be for the sum of two thousand dollars (\$2,000) each. They shall bear no interest. They shall be payable out of the Railway Fund, hereinafter to be created, of Lincoln county, and from no other source. At the end of eight years from the date of issuance they shall, if not already paid, become null and void, and shall be the property of the county, and their life or validity shall not be prolonged beyond that time by judgment of court nor by any other means; *provided*, that the bonds having once been legally issued in accordance with the provisions of this Act, then if they remain unpaid through a direct violation of any provision of this Act by the county officers, in the behalf of, and to the benefit of the county and to the loss and injury of the owner of the bonds, that at any time during the term of eight years, the legal holder of the bonds may sue and obtain judgment against the county; but in such case no interest shall be allowed either before or after judgment. They shall not be negotiable or transferable, except to the heirs or assigns to the railway to encourage the construction of which they may be issued, and the person or authorized agent of the company as such who receives said bonds, having complied with the terms herein prescribed, shall agree in writing or print on the face of the bond to return the same to the Treasurer of the county if it be not paid at the end of eight years, unless it be lost or destroyed, in which case he shall give to said Treasurer a sworn certificate that said bond has been lost or destroyed, and that the debt represented by said bond is then wholly discharged by lapse of time according to agreement. There shall be printed upon the face of each bond, in conspicuous plain black letters, the words "Without value after eight years," and in smaller, but clear and plain type, the words "This bond is not negotiable. It becomes null and void eight years from (*here insert date of issuance*)". In the meantime it is payable in the order of issue from the Railway Fund of Lincoln county and from no other source. It bears no interest. The party accepting it agrees to these conditions, and further agrees, if unpaid at the end of eight years, that this bond shall be returned to the Treasurer of Lincoln county, or if it be lost or destroyed to give to said Treasurer a certificate to that effect, which certificate shall also acknowledge the nullity or death of this bond." The party accepting the bond shall sign this proviso.

Payable out
of Railway
Fund.

Without
value after
eight years.
Not
negotiable.

SEC. 3. The bonds shall be signed by the Chairman of the Board of County Commissioners under seal, and shall also be

Signed by
Chairman of
Board of
County Com-
missioners.

subscribed by the Clerk of said Board. The Treasurer shall pay them in the order in which they are drawn, paying one bond, on presentation, and canceling the same, whenever there shall be two thousand dollars or more in the Railway Fund. And in case at the end of eight years, the bonds be not all paid, and a sum less than two thousand dollars remain in said fund, he shall pay said sum less than two thousand dollars for the bond next in order to be paid, receiving and canceling the same.

Railway
Fund
created.

SEC. 4. The Railway Fund of Lincoln county is hereby created. It shall consist of moneys set aside from the General County Fund by the Board of County Commissioners in the following manner: The Board shall learn from the books of the County Treasurer the amount of taxes paid each year into the County Treasury (except taxes for State and school purposes) upon the railway, rolling stock, shops, round houses, depots and other property appropriate and necessary to conducting railroad business, whose owner, whether company, corporation or an individual, has taken advantage of, and is complying with the terms of this Act, and shall, at their first meeting after the said payment shall have been made each year, set aside a sum which shall be ten dollars greater than said payment, which shall be paid into the Railway Fund. Seven such annual transfers shall be made, in seven successive years, and at the end of the full period of eight years after the first transfer shall have been made, all moneys remaining in said fund shall be returned to the General Fund of the county. The County Commissioners shall not have power to make other transfers than those herein mentioned, either to or from said Railway Fund. No money shall ever be paid into said Railway Fund, except as herein provided.

To consist of
moneys
from
General
Fund.

Returned
to General
Fund.

SEC. 5. This Act shall not have effect except upon the following conditions:

Petition to
be signed by
over
one-half the
taxpayers.

First—A petition clearly setting forth that a railway is about to be built, and by whom it is to be built, in the county, as hereinbefore provided, praying the Board of County Commissioners to act as herein authorized, must be read and signed by more than one-half the taxpayers, representing more than one-half the taxable property of the county, according to the last preceding tax roll, and presented to said Board at a regular meeting, after at least one month's public notice to the effect that such a petition will at that time be presented.

County Com-
missioners
to notify.

Second—The Board of County Commissioners shall, upon presentation of such petition, notify through the mails each subscriber thereto of the receipt of the same with his name appended, requesting him to report immediately in case the signature be not genuine, or obtained under false pretenses.

To issue
bonds as
provided.

Third—The Board shall then, at its next regular meeting, provided no irregularities shall have appeared, sign an agreement to the following effect: "We, the Board of Commissioners of Lincoln county, hereby bind ourselves and our successors, as the representatives of said county, to issue to (*here name the party building the railway*), his or their successors, bonds as

provided in an Act entitled 'An Act to promote the construction of railways in Lincoln county,' approved March 12, 1895."

SEC. 6. Petitions hereinbefore described may be presented for the subsidizing of more than one railway; but bonds under the provisions of this Act shall not be issued to more than one, and that the first one finished.

SEC. 7. Railway builders taking the benefits of this Act may, in the construction of the road, take advantage of any surveys, grading or other work already performed by other parties; *provided*, that this shall not be construed to give them a right to take private property without compensation.

To take
advantage
of any
surveys.
Proviso.

SEC. 8. The faith of the State of Nevada is hereby pledged, in accordance with the Constitution, that this Act shall not be repealed nor so modified as to impair the obligations of the contract herein described, either on the part of the builders in good faith of an iron or steel railway as specified, or on the part of the people of Lincoln county.

Faith of the
State
pledged.

SEC. 9. All county officers are hereby authorized and empowered to do whatever may be necessary to be done to carry this law into effect.

CHAP. LII.—*An Act to authorize the School Trustees of School District Number Ten, in Washoe county, to issue bonds for school purposes.*

[Approved March 12, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Board of School Trustees of School District Number Ten, in the town of Reno, Washoe county, Nevada, are hereby authorized, under the provisions of this Act, to issue bonds bearing interest not exceeding six (6) per cent. per annum, for a sum not exceeding ten thousand (\$10,000) dollars, in the lawful money of the United States, none of which said bonds shall run for a period longer than ten (10) years from the date thereof.

School
District No.
4, Washoe
county.

SEC. 2. Said bonds shall be issued for sums not less than one thousand (\$1,000) dollars each, and the interest thereon shall be payable annually, the coupons for such payment of interest to be attached to each of said bonds.

Bonds to be
issued.

SEC. 3. The principal of said bonds shall be made payable as follows: One thousand (\$1,000) dollars of said bonds shall be payable January first, A. D. eighteen hundred ninety-six (1896), and the remainder shall be made payable in annual payments thereafter, none of which bonds shall run for a period longer than ten (10) years from the first of January, A. D. eighteen hundred ninety-six (1896).

Time of
payment

SEC. 4. The Board of School Trustees of said Reno School District, are hereby authorized to build an addition to the high school building in said district and to make such repairs of said building as they may deem advisable; *provided*, such addition and repairs shall not cost to exceed the sum of ten thousand

To build
addition to
high school.

(\$10,000) dollars. The Board of Trustees shall, as soon as practicable, proceed to issue the bonds herein provided for, and when said bonds are disposed of, shall proceed with due diligence to erect the addition and complete the same, in accordance with the provisions of this Act.

Bonds and
coupons,
how signed.

SEC. 5. The bond and coupons herein provided for shall be signed by the Chairman and the Clerk of said Board of Trustees and countersigned by the County Treasurer of said Washoe county.

Moneys
from bonds
paid into
County
Treasury.

Reno School
Building
Fund.

SEC. 6. All moneys received from the sales of said bonds shall be paid into the County Treasury, and the County Treasurer is hereby required to receive and safely keep the same in a fund to be known as the "Reno School Building Fund," and to pay out said money only on warrants properly authenticated by the County Auditor, upon bills duly allowed by the Board of School Trustees and approved by the County Superintendent. The County Treasurer shall be liable on his official bond for the safe keeping of said moneys which shall come into his hands, and for the faithful discharge of his duties in relation thereto.

Tax levy.

SEC. 7. For the purpose of providing for the payment of the bonds hereby authorized to be issued, the Board of County Commissioners of Washoe county are hereby authorized and required, at the time of the annual levy of taxes for State and county purposes for the year eighteen hundred ninety-five (1895), and annually thereafter, to levy upon all taxable property of said School District No. Ten an amount, not exceeding one-fourth of one per cent. upon each one hundred (\$100) dollars valuation of said property, sufficient to pay the interest and principal of the bonds issued under the provisions of this Act, which will become due during the next ensuing year. The taxes so levied shall be assessed and collected as other taxes are assessed and collected, and shall be paid into the County Treasury, and set apart to a fund to be known as the "Reno School District Redemption Fund No. Two," and the money in said fund shall be paid out by the County Treasurer in payment of interest on the bonds aforesaid as the same becomes due, upon presentation of coupons therefor, and the payment of the principal upon the presentation and surrender of said bonds when they become due.

Reno School
District
Redemption
Fund No. 2.

CHAP. LIII.—*An Act to create a Jurors Per Diem Fund for White Pine county, and to regulate the disposition of certain funds of said county, and other matters connected therewith.*

[Approved March 12, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relating to
White Pine
county.

SECTION 1. For the purpose of providing means for the payment of jurors per diem fees payable by White Pine county, a special fund is hereby created, to be known as the Jurors Per Diem Fund of said county.

SEC. 2. In order to create and maintain said Jurors Per Diem Fund the Board of County Commissioners of said county are hereby authorized and directed as soon after the passage of this Act as practicable to cause to be transferred to said Jurors Per Diem Fund twenty-five (25) per cent. of all moneys that are then in the Redemption Fund of said county or which may thereafter come into said Redemption Fund, under the provisions of an Act entitled "An Act to make provision for the payment of certain indebtedness now existing or which may hereafter accrue against White Pine county," approved March 5, 1887; and the Treasurer of said county is hereby expressly prohibited from paying out any moneys now in the said Redemption Fund or which may hereafter come into said fund unless said twenty-five per cent. is first transferred to said Jurors Per Diem Fund. The County Commissioners shall also cause to be transferred into said Jurors Per Diem Fund all revenues derived under the provisions of section nine of an Act entitled "An Act concerning juries," approved March 5, 1873, and of the Acts amendatory of said section; and it is further provided that in order to maintain said Jurors Per Diem Fund on a cash basis the County Commissioners of said county may for the year 1895, and shall annually thereafter, order and cause to be levied and collected at the same time and in the same manner as other revenues of said county a special tax, to be known as the Jurors Per Diem Fund tax of sufficient amount to furnish a sufficient amount of money to keep said fund on a cash basis; and the said Board of County Commissioners are hereby authorized and directed to do and perform all needful things to carry this Act into effect.

Jurors Per
Diem Fund.

Maintained
on cash
basis.

Jurors Per
Diem Fund
tax.

SEC. 3. Allowances shall be made against said Jurors Per Diem Fund for the payment of jurors per diem fees incurred subsequently to the passage of this Act when such per diem fees are legally chargeable to and payable by said White Pine county; *provided*, that no jurors fees for the payment of which said county is responsible incurred prior to the passage of this Act and no jurors fees for mileage whether incurred before or after the passage of this Act shall be paid out of said Jurors Per Diem Fund but all such fees shall remain payable out of the General Fund of said county as now provided by law.

Allowances
against
Jurors Per
Diem Fund.

SEC. 4. Whenever a deficiency exists in the Jurors Per Diem Fund the Auditor of said White Pine county is hereby authorized and directed to draw his warrant for fees payable out of said Jurors Per Diem Fund on any of following named county funds that may be on a cash basis, to wit: On the Contingent Fund, the Salary Fund or the Current Expense Fund, and the Treasurer of said county is hereby authorized and directed to pay the warrants so drawn; *provided*, that all sums so drawn from any or all of said funds shall be transferred to the proper fund from said Jurors Per Diem Fund when such fund is again on a cash basis; and *provided further*, that when none of said funds are on a cash basis the Auditor shall issue a certificate of indebtedness against said Jurors Per Diem Fund on demand of any person entitled thereto.

Relating to
deficiency in
fund.

Transfer of
moneys to
be made as
provided
only.

SEC. 5. No transfer of moneys shall be made from said Jurors Per Diem Fund to any other fund for any purpose whatsoever except as provided in section four of this Act; *provided*, that when a surplus exists in said Jurors Per Diem Fund the County Commissioners may transfer all or any part of such surplus to the Redemption Fund.

SEC. 6. All Acts and parts of Acts conflicting with the provisions of this Act are hereby repealed to the extent of such conflict only.

SEC. 7. This Act shall take effect from and after the first day of September, 1895.

CHAP. LIV.—*An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing,' approved March 11, 1879, as amended March 4, 1881," approved February 17, 1891.*

[Approved March 12, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section eighteen of said Act is hereby amended so as to read as follows:

Relating to
State
Printing
Office.

Duties of
Secretary of
State.

Duties of
Superin-
tendent of
State
Printing.

Copies of
Acts to be
distributed.

Section eighteen. The Secretary of State shall furnish to the Superintendent of State Printing, as soon as may be, and within three days from the time he receives the same from the Governor, after approval, a copy of all Acts, joint and concurrent resolutions and memorials, with marginal notes to the same, passed at such session, and the Superintendent of State Printing shall, within ten days thereafter, print the number of copies as herein provided, and furnish printed sheets thereof to the Secretary of State, who shall, immediately upon the close of such session, make out and deliver to the Superintendent of State Printing an index of the same, and the Superintendent of State Printing shall, immediately upon the close of such session, print the said index and bind it in connection with the laws. The Superintendent of State Printing shall also furnish to each member of the Senate and Assembly, for distribution among their constituents, fifteen copies of the printed sheets of each Act as printed, or if more than one Act is printed at one time, then copies of the printed sheets of such series of Acts. He shall also distribute one copy of said Act or Acts to each County Clerk, County Auditor, District Judge, District Attorney and Justice of the Peace in the State.

CHAP. LV.—*An Act to amend an Act entitled “An Act regulating the manner of drawing juries in the District Courts of this State,” approved February 20, 1885.*

[Approved March 12, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of an Act entitled “An Act regulating the manner of drawing juries in District Courts of this State,” approved February 20, 1885, is hereby amended so as to read as follows:

Section one. The Board of County Commissioners in each county of the State of Nevada shall, at its first meeting after the approval of this Act, and thereafter at its first regular meeting in each year, by an order duly made and entered on its minutes, estimate, as nearly as possible, the number of trial jurors that will be required for attendance on the District Court of said county until the next annual selection of trial jurors under this Act. The said Board shall thereupon select from the qualified electors of the county, whether registered or unregistered, not exempt by law from jury duty, such number of qualified electors as it has estimated to be necessary. The names of the electors so selected, shall be entered upon the minutes of said Board, together with the occupation and place of residence of each of such electors so selected.

Relating to drawing juries.

County Commissioners to estimate and select.

Registered or unregistered electors.

CHAP. LVI.—*An Act to amend an Act entitled “An Act to amend an Act entitled an Act to amend an Act entitled an Act amendatory of an Act entitled an Act concerning juries,” approved March 5, 1873; approved March 5, 1875; approved March 5, 1877; approved March 7, 1881.*

[Approved March 12, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended so as to read as follows:

Section one. Section nine of said Act is hereby amended so as to read as follows:

Section nine. Upon satisfactory proof, made by affidavit or otherwise, the following named persons, and no other shall be exempted from service as grand or trial jurors: Any Federal or State officer, Judge, Justice of the Peace, County Clerk, Sheriff, Constable, Assessor, Recorder, attorney-at-law, physician, minister of the gospel, telegraph operator, locomotive or stationary engineer, mail carrier, engaged in the actual carrying of the United States mail, on a regular mail route, and one-half of all members of each regularly enrolled fire company in the State, said half to be determined by the several fire companies respectively, and all officers of such fire companies not exceed-

Relating to jurors.

Who exempt

Members of fire companies.

ing ten for each company, and also in all cities and towns wherein there is a paid fire department, after such paid fire department shall have been organized and put in operation, all members of said paid fire department, and all persons who are now or may hereafter become members of any exempt firemen's association, society or organization within this State; but such exemption shall not extend to any member of such association, society or organization, unless prior to becoming a member of the same, such member shall have served as an active fireman, in some regularly organized fire department in this State, for the period of three years, and also, in all cities and towns in this State, wherein there are volunteer fire departments, after such volunteer departments shall have been organized and put in operation all members thereof; and also, all members thereof, who may hereafter become members of any exempt fireman's association, society or organization, within this State; but such exemption shall not extend to any member of such association, society or organization, unless prior to becoming a member of the same, such member shall have served as an active fireman in some regularly organized volunteer fire department in this State, for the period of five years; *provided*, that the entire exemption of such exempt firemen, where there is a paid fire department, shall not exceed in any one town or city, one hundred and fifty; and where there is a volunteer fire department, the entire exemption shall not exceed, in any one town or city, fifty; *and further provided*, that any person liable to grand or trial jury duty residing sixty or more miles distant from the county seat of his county, shall be exempted from service on either grand or trial juries for the period of one year upon making affidavit to the fact that he so resides and filing the same with the Clerk of the District Court of the District in which his county is situated and paying to such Clerk the sum of twenty-five dollars. Upon the receipt of such affidavit and such sum, the said Clerk shall deliver to such person a certificate stating the fact of such receipts, and thereafter, for the period of one year from the date of such payment, the name of such person shall not be placed in the jury box, nor shall such person be selected as a grand or trial juror. It shall be the duty of said Clerk, upon the receipt of said sum, to deliver the same to the County Treasurer of his county, and the said Treasurer shall immediately place the same to the credit of the General Fund of said county.

To file with
Clerk of
District
Court.

To go into
General
Fund.

SEC. 2. All portions of the Act of which this Act is amendatory, relative to the prescribing of bonds by the Judges of the several District Courts, in their several counties and the exemption of persons from serving on juries by payment for such exemption, are hereby repealed.

CHAP. LVII.—*An Act supplemental to an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, and to repeal certain Acts relating thereto," approved March 23, 1891, and to all Acts amendatory thereof, and to provide for a license upon the business of owning, raising, grazing, herding or pasturing sheep in the several counties of the State of Nevada, and to declare a violation thereof a misdemeanor, and to provide a punishment therefor.*

[Approved March 12, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every person now engaged in, or who may hereafter engage in the business of owning, raising, grazing, herding or pasturing sheep, as either owner, lessee or manager of said sheep, in any county in the State of Nevada must annually procure a license therefor from the Sheriff as Collector of Licenses of each of such counties and make payment therefor as follows in advance for each band, flock or bunch of sheep:

Pasturing
sheep.

First—Such person owning or having in his possession or under his control as lessee or manager five thousand sheep or more shall be deemed of the first class and must pay the sum of two hundred and fifty dollars per annum for the first five thousand sheep and the further sum of fifty dollars per annum for every additional one thousand sheep or fraction thereof.

Possessing
5,000 or
more.

Second—Such person owning or having in his possession or under his control as lessee or manager four thousand sheep and less than five thousand shall be deemed of the second class and must pay the sum of two hundred dollars per annum.

Four
thousand
sheep.

Third—Such person owning or having in his possession or under his control as lessee or manager three thousand sheep and less than four thousand shall be deemed of the third class and must pay the sum of one hundred and fifty dollars per annum.

Three
thousand
sheep.

Fourth—Such person owning or having in his possession or under his control as lessee or manager two thousand sheep and less than three thousand shall be deemed of the fourth class and must pay the sum of one hundred dollars per annum.

Two
thousand
sheep.

Fifth—Such person owning or having in his possession or under his control as lessee or manager fifteen hundred sheep and less than two thousand shall be deemed of the fifth class and must pay the sum of seventy-five dollars per annum.

Fifteen
hundred
sheep.

Sixth—Such person owning or having in his possession or under his control as lessee or manager one thousand sheep and less than fifteen hundred shall be deemed of the sixth class and must pay the sum of fifty dollars per annum.

One
thousand
sheep.

Seventh—Such person owning or having in his possession or under his control as lessee or manager any number of sheep less than one thousand shall be deemed of the seventh class and must pay the sum of twenty-five dollars per annum; pro-

Less than
1,000 sheep.

vided, that the provisions of this Act shall not apply to any person, persons, firm, company, association or corporation who shall be the owner and holder of land in the State of Nevada equal to one acre for each two sheep so owned, raised, grazed, herded, or pastured; *and it is further provided*, that nothing in this Act contained shall be so construed as to require the procurement of more than one license for the same sheep in the same county, for the same year.

Penalty. SEC. 2. Every person who shall engage in the business of raising, grazing, herding or pasturing of any sheep as either owner, lessee or manager thereof within any county of the State of Nevada without first having procured a license therefor as prescribed by this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine for each offense of not less than fifty dollars nor more than two hundred and fifty dollars or imprisonment in the County Jail for a period of not less than twenty-five days or more than ninety days.

Collector of Licenses to examine. SEC. 3. The Sheriff, as Collector of Licenses, of each county of the State of Nevada shall make diligent inquiry and examination concerning all persons in his county liable to the procurement of license as provided in this Act, and he is hereby empowered, and it shall be his duty to require each such person to make a statement under oath or affirmation of the number of sheep then or about to be owned by him or then or about to be in his possession or under his control as lessee or manager thereof within such county. Thereupon such person shall procure such license from such Sheriff as Collector of Licenses according to the class to which he shall be shown by the number of such sheep to belong; and in all cases wherein an underestimate of the number of sheep is made by the person procuring such license, the person making such underestimate shall be required to pay a double license for the next year. Such license when procured shall authorize the party procuring the same within the county wherein the same is procured but in no other county to transact business as specified in such license; and if any such person required by the provisions of this Act to procure a license shall fail, neglect or refuse to procure such license in the manner provided in this Act or shall engage in or attempt to engage in any of the business mentioned in this Act without procuring such license therefor, the Sheriff as Collector of Licenses shall direct the commencement of, and the District or Prosecuting Attorney of the county shall immediately commence an action in the name of the State of Nevada as plaintiff against such person for the recovery of the license money and all damages according to the class in this Act specified to which such person shall be proven to belong, and in such action either the Sheriff as Collector of Licenses or the District or Prosecuting Attorney of the county where such action is commenced may make the necessary affidavit and cause the undertaking to be furnished, necessary to the procurement of the issuance of the writ of attachment and a writ of attachment shall thereupon be issued and may be levied upon the sheep of such owner, lessee

Statement under oath.

License.

Action instituted.

or manager within such county, and in case of recovery by the plaintiff in such action, judgment shall be entered for the amount found due for such license and twenty-five dollars liquidated damages for non-procurement of licenses and all costs of such action, of which damages, ten dollars shall be paid to the Sheriff as Collector of Licenses and fifteen dollars thereof shall be paid to the District or Prosecuting Attorney for their services in the action. Upon the trial of any criminal action provided for in this Act, the defendant shall be deemed to have not procured the proper license unless he produces it or proves that he did procure it, but he may plead in bar of a criminal action a recovery and payment in a civil action against him of a judgment of proper license money damage and costs.

Costs of
action.

SEC. 4. The County Auditors of the several counties of this State shall prepare, have printed and delivered to the Sheriff as License Collector of the several counties suitable blank licenses for the proper enforcement of the provisions of this Act with blank receipts for the same when sold.

County
Auditors to
prepare
licenses.

SEC. 5. The Sheriff as Collector of Licenses shall demand and collect from the person procuring such license a fee of two dollars for each license sold by him in addition to the amount paid for such license.

Fee.

SEC. 6. All moneys collected for licenses under the provisions of this Act, shall be paid to the County Treasurer of the county wherein such licenses are collected and shall by him be placed to the credit of the General Fund of such county.

All money
paid to
County
Treasurer.

SEC. 7. Whenever the word "person" occurs in this Act it shall be held to apply to and include any person, persons, firm, company, association or corporation.

SEC. 8. This Act shall take effect and be in force on and after thirty days from its approval.

CHAP. LVIII.—*An Act to amend section two of an Act entitled "An Act for the preservation of wild game, and for the preservation of beaver and otter within the State of Nevada, and to repeal all other Acts in relation thereto," approved February 27, 1893.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said Act is hereby amended so as to read as follows:

Section two. It shall be unlawful for any person or persons, firm, company, corporation or association, at any time between the first day of April, of each and every year, or any year, and before the fifteenth day of September following to catch, kill, destroy, or net, pound, weir, cage, or trap, or to pursue with such intent, any wild goose, wood-duck, teal, mallard, or other ducks, sand-hill crane, brant, swan, plover, curlew, snipe, and mud hens, and between the fifteenth day of March and fifteenth

Close
season.

day of September any partridge, pheasant, woodcock, grouse, quail, bittern or yellow-hammer, and every person or persons, firm, company, corporation or association, who shall sell, buy, transport, or give away, or offer, or expose for sale, or have in his or their possession any of the birds hereinbefore mentioned, that have been snared, captured, taken, killed, trapped, netted or pounded, in or by any other means hereinbefore mentioned in this section, shall be guilty of a misdemeanor and punished as in this Act hereinafter specified, and any firm, person or persons, company, corporation or association, who shall destroy, injure, or in any manner disturb the nests or eggs of any of the birds protected by this Act, shall be guilty of a misdemeanor and punished as is provided in this Act.

Penalty.

CHAP. LIX.—*An Act concerning the District Courts of the State of Nevada and the Judges thereof.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The District Judges of the State of Nevada shall possess equal co-extensive and concurrent jurisdiction and power. They shall each have power to hold Court in any county of this State. They shall each exercise and perform the powers, duties and functions of the Court, and of Judges thereof, and of Judges at chambers. The decision in an action or proceeding may be written or signed at any place in the State, by the Judge who acted on the trial and may be forwarded to, and filed by the Clerk who shall thereupon enter judgment as directed in the decision, or judgment may be rendered in open Court, and, if so rendered, shall be entered by the Clerk accordingly. If the public business requires, each Judge may try causes and transact judicial business in the same county at the same time. Each Judge shall have power to transact business which may be done in chambers at any point within the State, and Court shall be held in each county at least once in every six months, and as often and as long as the business of the county requires. All of this section is subject to the provision that each Judge may direct and control the business in his own District, and shall see that it is properly performed.

SEC. 2. Section nine of an Act entitled "An Act to redistrict the State of Nevada, prescribe the number and salaries of District Judges, and fix the places of holding Courts," approved March 4, 1885, is hereby repealed.

District Judges.

Co-extensive and concurrent jurisdiction.

Court held in each county once in six months.

CHAP. LX.—*An Act to amend an Act entitled "An Act to authorize the Board of County Commissioners of Humboldt county to issue bonds for the purpose of providing a fund to pay the bonded debt of said county," approved February 27, 1893.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended so as to read as follows:

Section one. The Board of County Commissioners of Humboldt county, is hereby authorized and directed to prepare and issue the bonds of said county to the amount of fifty-two thousand dollars, bearing interest at a rate to be fixed by said Board; *provided, however, that said rate of interest shall not exceed seven per cent. per annum.*

Humboldt
County Com-
missioners
authorized.

CHAP. LXI.—*An Act to amend an Act entitled "An Act amendatory of and supplementary to an Act entitled 'An Act consolidating certain county and township offices in the State of Nevada, and fixing the salaries thereof and all matters relating thereto,' approved March 12, 1885," approved March 9, 1889.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of the said amendatory and supplementary Act, approved March 9, 1889, is hereby repealed.

SEC. 2. This Act shall take effect from and after its passage.

Sheriff and
Clerk of
Storey
county.

CHAP. LXII.—*An Act to amend an Act entitled "An Act to consolidate certain county offices in Esmeralda county, State of Nevada, to fix their compensation and the compensation of other officers in said county," approved March 19, 1891.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said Act is hereby amended so as to read as follows:

Section three. On and after the first Monday in January, 1893, the County Recorder as *ex officio* Auditor of Esmeralda county, Nevada, shall receive an annual salary of two thousand dollars which shall be compensation in full for all his services as Recorder and *ex officio* Auditor, and he shall not employ any deputy to act in either of said capacities at the expense of said

Esmeralda
county.

Salary of
Recorder.

county; *provided*, that on and after the first Monday in January, 1897, the County Recorder of Esmeralda county shall receive an annual salary of seven hundred dollars as such Recorder and an additional annual salary of eight hundred dollars as *ex officio* Auditor which shall be compensation in full for all his services as Recorder and *ex officio* Auditor, and he shall not employ any deputy to act in either of said capacities at the expense of said county.

CHAP. LXIII.—*An Act to authorize the use of the Union Label on all public printing.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Union
Label,

SECTION 1. On and after the passage of this Act the State Printer shall cause to be affixed to all public printing the Union Label recognized by the organization known as the International Typographical Union.

State Printer
authorized.

SEC. 2. The State Printer is hereby authorized to purchase such cuts for that purpose as in his discretion are necessary.

CHAP. LXIV.—*An Act regulating appeals to the Supreme Court.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relating to
appeals.

Discretion-
ary with
appellant.

SECTION 1. In all cases of appeal to the Supreme Court from final judgments or from orders overruling motions for new trial, and in all other cases when ordered by the Supreme Court or a Judge thereof or by the District Judge or stipulated by the parties or their attorneys, it shall be in the discretion of the appellant to furnish the Court with a transcript on appeal in accordance with the present provisions of the statute, or to have the original papers in the District Court, including documentary evidence, maps and exhibits certified to the Supreme Court, or the appellant may furnish the Court with a transcript of a portion of the record on appeal and have the remaining portion certified to the Supreme Court. In case he shall elect to have the original papers certified they shall be attached together and the pages numbered and indexed the same as transcript on appeal, and shall be certified by the Clerk of the District Court or by the respective parties or their attorneys to be such originals, and to constitute in whole or part the record on appeal and the Clerk shall then transmit them to the Clerk of the Supreme Court; *provided*, that where it would not be convenient to attach maps or exhibits to the other papers, they may be sent separately, properly identified and certified.

SEC. 2. Where such original papers have been so certified,

the Clerk of the Supreme Court, at the time he transmits the remittitur, shall return them to the Clerk of the District Court. Any of the papers or documents so certified to the Supreme Court may be returned to the Court below upon application of either party and order of one of the Judges and leaving a certified copy. Where it is necessary to present upon the appeal the minutes of the Court or records containing entries affecting other cases, they shall be copied in the transcript the same as heretofore.

Original
papers so
certified to
be returned.

CHAP. LXV.—*An Act to provide revenue for the support of the government of the State of Nevada.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. In the cases of horses, mules, asses, cattle, sheep, goats, hogs and all other live stock running at large and grazing upon uninclosed lands, whether in charge of a herder or not, the assessment provided for by the general revenue law of this State may be made, and the taxes thereon collected at any time during the calendar year; and the fact that such live stock may have been assessed, and the taxes thereon for the same year paid in some other State or Territory, shall not exempt it from assessment and taxation in this State. When such live stock is the property of non-residents of this State its situs for purposes of taxation shall be the county in which it is first assessed; *provided*, that nothing herein contained shall be so construed as to prevent the free passage of such live stock through this State for commercial purposes, or to deny to the citizens of each State all the privileges and immunities of citizens of the several States.

Assessments
of live
stock.

Upon unin-
closed lands.

SEC. 2. When the property described in section one of this Act shall have been assessed as therein provided and the taxes thereon collected, as prescribed by the general revenue law of this State upon complaint in writing by the owner, his agent or any person aggrieved (which complaint shall be made within ten days after the collection of said taxes, and shall be filed with the County Clerk), that the assessment was too high or too low, it shall be the duty of the Board of County Commissioners within ten days after the filing of such complaint, to meet as a Board of Equalization to equalize the same, and the proceedings shall be the same as in other cases of equalization.

Duty of
County
Commis-
sioners.

CHAP. LXVI.—*An Act authorizing and directing the Board of County Commissioners of Elko county, State of Nevada, to issue bonds for the purpose of providing means to establish, construct and maintain a county high school in said county.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Board of County Commissioners of Elko

Elko county county, State of Nevada, is hereby authorized and directed, under the provisions of this Act, to issue bonds of said county bearing interest at a rate not exceeding six (6) per cent. per annum, for a sum not exceeding ten thousand (\$10,000) dollars, none of which bonds shall run for a period longer than ten years from the first day of January, 1896; *provided*, that a majority of the legal and qualified electors of said county, voting at any election, shall vote to establish, construct and maintain a county high school in said county at any general or special election held therefor, in accordance with and pursuant to an Act of Legislature of said State, entitled "An Act permitting the establishment of county high schools in the various counties of this State, and providing for the construction, maintenance and management of the same," approved March 4, 1895.

Bonds, amount of. SEC. 2. Said bonds shall be issued for sums not less than five hundred (\$500) dollars each, in lawful money of the United States, and shall be payable to bearer, and the interest thereon, shall be payable annually and coupons for such installments of interest shall be attached to said bonds.

SEC. 3. The principal of said bonds shall be payable to the amount of one thousand dollars each year commencing with the first day of January, 1897.

Signed by Chairman. SEC. 4. The bonds and coupons herein provided for shall be signed by the Chairman of said Board of County Commissioners and countersigned by the Clerk of said Board, and said Clerk shall attach thereto the county seal.

Commissioners to negotiate and sell. SEC. 5. The said Board of County Commissioners is hereby directed and authorized, at any time or times, to negotiate the sale of and sell said bonds or such number thereof as may be necessary to carry out the purposes for which said bonds are authorized to be issued and sold, at not less than the face value thereof.

Elko County Special High School Fund. SEC. 6. All moneys received from the sale of said bonds shall be paid to the County Treasurer of said county and said Treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as the Elko County Special High School Fund, and pay out said moneys only in the manner now required by law for the payment of the same and for the purposes for which the same were received.

High school building. SEC. 7. The said Board of County Commissioners is hereby authorized and directed to use said moneys arising from the sale of said bonds in establishing, constructing, equipping and furnishing said county high school building, and when so constructed, equipped and furnished, the Trustees of said high school are authorized and directed to use any balance thereof in running and maintaining said school, in accordance with and pursuant to the said law permitting the establishment, maintenance and management of high schools in the various counties of this State.

SEC. 8. The said County Treasurer shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands, under the provisions of this Act, and for the faithful discharge of all his duties in relation thereto.

SEC. 9. For the purpose of providing for the payment of said bond and the interest thereon as they become due, the said Board of County Commissioners is hereby authorized and directed, on or before the first Monday in April, 1896, and annually thereafter, at the time of making the levy of taxes for State and county purposes, to levy upon all the taxable property of said Elko county a tax of an amount not exceeding one-fourth of one per cent. upon each one hundred dollars of all property subject to taxation, according to law and the assessed valuation thereof, sufficient to pay the principal and interest of said bonds, issued under the provisions of this Act, which will become due on the first day of the ensuing January. The taxes so levied shall be assessed and collected as other taxes are assessed and collected, and shall be paid into the County Treasury and set apart as a fund, which is hereby created and known Elko County High School Bond Redemption Fund, and the money in said fund shall be paid out by the said County Treasurer in the payment of the principal and interest of said bonds, as the same becomes due, upon presentation and surrender of said bonds and coupons to the said County Treasurer, at his office. The said County Treasurer shall be liable on his official bond for the safe keeping of the money which shall come into said High School Bond Redemption Fund and for the faithful discharge of all his duties in relation thereto.

Tax levy.

Elko County
High School
Bond
Redemption
Fund.

SEC. 10. Should the holder of said bonds or any part thereof, for any cause whatever, fail to present said bonds to said County Treasurer for payment as they become due, all interest shall thereafter immediately stop.

SEC. 11. Should any money remain in said High School Bond Redemption Fund at the end of any year after paying the interest and bonds due for such year, the same shall remain in said fund and be applied to the payment of bonds and interest thereafter to become due, and all moneys remaining in said fund after the payment of all of said bonds and all interest due thereon, shall be transferred by said Board of County Commissioners to the County High School Fund of said county and used and applied for the purposes of said county high school.

County High
School
Fund.

SEC. 12. This Act shall take effect from and after its passage.

CHAP. LXVII.—*An Act to amend an Act fixing the salaries of county officers in Eureka county, and consolidating certain offices therein, approved March 2, 1893.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said above Act is hereby amended so as to read as follows:

Section one. On and after the first Monday in January, eighteen hundred and ninety-five, the following named officers

Eureka
county
officers,
salaries of.

of Eureka county, Nevada, shall receive, in twelve equal monthly payments, the following salaries, viz: The Assessor of said county shall receive the sum of two thousand dollars per annum; the Treasurer of said county shall receive nine hundred dollars per annum; the District Attorney shall receive one thousand two hundred dollars per annum; the County Commissioners shall receive the sum of three hundred dollars per annum.

Compensa-
tion.

Sec. 2. Section two of said above Act is hereby amended so as to read as follows:

Section two. On and after the first Monday in January, eighteen hundred and ninety-five, the County Clerk of Eureka county shall be *ex officio* Recorder and Auditor, and *ex officio* Clerk of the Court and of the Board of County Commissioners of said county, and shall receive for all such services as County Clerk and *ex officio* Clerk of the Court, and of the Board of County Commissioners of said county a salary of five hundred dollars per annum from the county and as *ex officio* Recorder and Auditor shall receive for all such services a salary of one thousand dollars per annum from the county, and in addition thereto such fees, in all cases wherein either the State of Nevada or the county of Eureka is not a party, as are now allowed by law, to County Clerks and Recorders.

Compensa-
tion.

Sec. 3. Section three of said above Act is hereby amended so as to read as follows:

Section three. On and after the first Monday in January, A. D. eighteen hundred and ninety-seven, the Sheriff of Eureka county, State of Nevada, shall receive a salary of eighteen hundred dollars per annum from the said county, and such fees in addition thereto, in all cases wherein either the State of Nevada or the county of Eureka is not a party, as are now allowed Sheriffs by law.

Sheriff's sal-
ary and fees.

Sec. 4. The salaries named in this Act shall be the only salary or compensation that shall be allowed by the Board of County Commissioners, or County Auditor, or paid by the County Treasurer of said county, for any and all services and *ex officio* services of every kind and character rendered by said officers.

Full com-
pensation.

Sec. 5. The officers named in this Act shall, after said date, appoint and pay their own deputies, and be responsible for their official acts; but no claim for any pay or compensation whatever, for the services of any of said deputies, shall be allowed by the Board of County Commissioners or Auditor, or be paid by the County Treasurer of said county, except the said Board may allow, and the Treasurer may pay, as other claims against the county, one Deputy Assessor, at a compensation not exceeding four dollars per day, and not to exceed three months in any one year.

Appoint and
pay their
own
deputies.

Proviso.

Sec. 6. Section six of said above Act is hereby amended so as to read as follows:

Section six. The officers of the county of Eureka named in this Act, on and after the first Monday in January, eighteen hundred and ninety-five, shall be entitled to charge, collect and retain as their own, for all services and *ex officio* services ren-

dered by them for any person, corporation, State or county other than the county of Eureka or the State of Nevada, such fees and compensations as are now or hereafter may be allowed by law. May collect fees.

CHAP. LXVIII.—*An Act to authorize the County Commissioners of Eureka county to levy a tax to pay off the indebtedness of the Fire Department Fund of the town of Eureka.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The County Commissioners of Eureka county are hereby empowered to levy a tax not exceeding one-half of one per cent. upon the assessed value of property within the limits of the town of Eureka, to pay off the present indebtedness of the Fire Department Fund of the said town, in addition to the tax the Commissioners are now empowered to levy to create a Fire Department Fund. Eureka county.
Fire Department Fund.

SEC. 2. Said tax shall be assessed in the same manner, and subject to the provisions of the general laws for the assessment and collection of taxes, and shall be collected at the same time and by the same officers who assess and collect the State and county taxes, and shall be paid over to the County Treasurer. Tax levy.

SEC. 3. The County Treasurer shall keep said moneys in the fund denominated the Fire Department Fund. Relating to Fire Department Fund.

SEC. 4. No money shall be paid out of the Fire Department Fund except by order of the County Commissioners.

SEC. 5. The County Commissioners shall use the moneys raised by this tax exclusively for the purpose of paying the indebtedness of said Fire Department Fund.

CHAP. LXIX.—*An Act to prevent malicious injury to church, school and other buildings and property, and to protect persons from malicious annoyance, and matters properly relating thereto.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be a misdemeanor for any person or persons to willfully and maliciously injure, mark or deface any church edifice, school house or other building, public or private, its fixtures, books or appurtenances, or to commit any nuisance therein, or to purposely and maliciously commit any trespass upon the grounds attached thereto, or any fixtures placed thereon, or any enclosure or sidewalk about the same, or in any manner to maliciously and purposely interfere with or disturb those peaceably assembled within such building or buildings. Injure or deface buildings.

SEC. 2. Any person or persons convicted of a misdemeanor

Penalty. under the foregoing section of this Act shall be subject to a fine, not exceeding two hundred dollars, or imprisonment in the County Jail, not to exceed six months, or to both such fine and imprisonment.

CHAP. LXX.—*An Act to amend section twenty-one of an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of this State, and to repeal all other Acts in relation thereto," approved March 8, 1869.*

[Approved March 13, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Place of trial of civil actions. SECTION 1. Section twenty-one of said Act is hereby amended so as to read as follows:

Section twenty-one. If the county designated for that purpose in the complaint be not the proper county, the action may, notwithstanding, be tried therein, unless the defendant before the time for answering expire demand in writing that the trial be had in the proper county, and the place of trial be thereupon changed by consent of parties, or by order of the Court, as is provided in this section. The Court may, on motion, change the place of trial in the following cases:

Reasons for changing place of trial. First—When the county designated in the complaint is not the proper county.

Second—When there is reason to believe that an impartial trial cannot be had therein.

Third—When the convenience of witnesses and the ends of justice would be promoted by the change.

Fourth—When from any cause the Judge is disqualified from acting in the action, except in any case when it shall appear by the affidavit of either party to the action, at any time before trial, that said party cannot, by reason of the interest, bias or prejudice of the Judge have a fair and impartial trial, in which case the Judge so designated in said affidavit shall not further preside in the case, but instead of ordering a change of place of trial to another county, may invite another Judge to preside in, hear and decide said case.

When the place of trial is changed, all other proceedings shall be had in the county to which the place of trial is changed; unless otherwise provided by consent of the parties in writing duly filed, or by order of the Court; and the papers shall be filled, or transferred, accordingly.

CHAP. LXXI.—*An Act authorizing and directing the payment of Thomas P. Mack for services rendered as County Recorder and Auditor of Lyon county, Nevada, and reimbursement to him of fees collected and paid by him into the treasury of said county.*

[Approved March 14, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Board of County Commissioners of Lyon county, State of Nevada, is by this Act, authorized, empowered and directed to allow the claim of Thomas P. Mack, formerly County Recorder and *ex officio* County Auditor and *ex officio* Superintendent of Schools of said county, whenever the same shall have been presented for the sum of one thousand fourteen and 65-100 dollars, or whatever sum said Board may be satisfied is correct for services rendered and fees collected and paid into the County Treasury of said county by him as such officer, during the years A. D. 1893 and 1894, not exceeding said sum of one thousand and fourteen 65-100 dollars, by ascertaining the exact amount comprising the difference between the amount actually received by the said Thomas P. Mack for his services as such officer, pursuant to the provisions of the Act of the Legislature of the State of Nevada, entitled "An Act to amend an Act entitled 'An Act consolidating certain county offices in Lyon county, and regulating the compensation of the county officers in said county,' approved March 16, 1891," approved February 16, 1893, and the amount which he should have received for the same services as such officer, under the provisions of the law as it existed and was in force at the time of his election and qualification to said office if his compensation had not been changed by said Act of 1893.

Thomas P. Mack, relief of.

SEC. 2. The County Auditor of said county is hereby authorized, empowered and directed to draw his warrant in favor of said Thomas P. Mack for whatever sum the said Board of County Commissioners, allows to him under the provisions of section one of this Act, on the General Fund of the County Treasury of said county, and the County Treasurer of said county is hereby authorized, empowered and directed to pay the amount specified in such warrant out of said fund of said Treasury.

County Auditor to draw warrant.

CHAP. LXXII.—*An Act to determine who shall perform the duties of Bailiff of the Supreme Court of the State of Nevada and fixing the compensation for his services.*

[Approved March 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Hereafter the Sheriff of Ormsby county shall act as Bailiff of the Supreme Court of the State of Nevada, and for

Bailiff of Supreme Court.

Compensation.

his services as such Bailiff, either in person or by deputy, he shall receive from the State, the sum of five dollars per day, when actually in attendance upon said Court, such sum to be paid by the State Treasurer, out of the biennial appropriation therefor; and the said Sheriff as such Bailiff, shall retain to his own use all moneys received by him under the provisions of this Act.

SEC. 2. All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

CHAP. LXXIII.—*An Act relating to the county officers of White Pine county, regulating their compensation, and other matters connected therewith.*

[Approved March 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

White Pine county.

SECTION 1. On and after the first Monday in January, A. D. 1897, the county officers of White Pine county shall be as follows, viz: A Sheriff, a County Clerk, who shall be *ex officio* Clerk of the District Court, *ex officio* Clerk of the Board of Equalization, *ex officio* Clerk of the Board of County Commissioners, and *ex officio* Clerk of the Board of Canvassers; a County Treasurer, who shall be *ex officio* County Assessor; a County Recorder, who shall be *ex officio* County Auditor; a District Attorney, who shall be *ex officio* Superintendent of Public Schools and *ex officio* Public Administrator, and a Board of three County Commissioners; *provided*, that all of said named officers shall perform such other *ex officio* duties as may be required by law.

Salaries of county officers.

SEC. 2. The Sheriff shall receive as compensation for himself and his deputies such fees as are allowed under provisions of an Act entitled an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9, 1865; approved March 6, 1875. The County Clerk shall receive three hundred dollars per annum, as full compensation for all services rendered by him to the county of White Pine in the before named official and ex official positions and shall retain as his own, for all services rendered by him in his official capacity for any person, State or county other than the State of Nevada and the county of White Pine, such fees as now are or hereafter may be allowed by law. The County Recorder as *ex officio* Auditor shall receive a salary of five hundred dollars per annum as full compensation for all services rendered by him to White Pine county and the State of Nevada, and shall retain as his own all fees collected for services rendered by him in his official capacity for any person, company or corporation, other than the State of Nevada and the county of White Pine. The County Treasurer and *ex officio* County Assessor shall receive eighteen hundred dollars per annum as full compensation for himself and deputies. The

District Attorney shall receive eighteen hundred dollars per annum and such other fees as are now allowed by law. The County Commissioners shall each receive four hundred dollars per annum and such mileage as is now allowed by law.

SEC. 3. This Act shall take effect on and after the first Monday in January, A. D. eighteen hundred and ninety-seven.

CHAP. LXXIV.—*An Act to consolidate certain county offices in and for the county of Eureka, State of Nevada, and fix their compensation and the compensation of other officers of said county.*

[Approved March 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. On and after the first Monday in January, A. D. eighteen hundred and ninety-seven, the County Clerk of Eureka county, Nevada, shall be *ex officio* County Treasurer in and for said county, and *ex officio* Clerk of the Court and of the Board of County Commissioners of said county, and shall receive for all such services as County Clerk and *ex officio* Clerk of the Court and of the Board of County Commissioners of said county a salary of five hundred dollars per annum from the county, and as *ex officio* County Treasurer in and for said county he shall receive for all of such services a salary of nine hundred dollars per annum from the county, and in addition thereto such fees, in all cases wherein the State of Nevada or the county of Eureka is not a party, as are now allowed by law to the Clerk of Eureka county.

Eureka county.

Salaries and consolidation of offices.

SEC. 2. On and after the first Monday in January, A. D. eighteen hundred and ninety-seven, the County Recorder of Eureka county, Nevada, shall be *ex officio* Auditor in and for said county, and shall receive for all of such services a salary of ten hundred dollars per annum, and in addition thereto such fees, in all cases wherein either the State of Nevada or the county of Eureka is not a party, as are now allowed by law to the County Recorder.

SEC. 3. The salaries named in this Act shall be the only salary or compensation that shall be allowed by the Board of County Commissioners, or County Auditor, or paid by the County Treasurer of said county, for any and all services and *ex officio* services of every kind and character rendered by said officers.

Full compensation.

SEC. 4. The officers named in this Act shall, after said dates, appoint and pay their own deputies, and be responsible for their official acts; but no claim for any pay or compensation whatever, for the services of any of said deputies shall be allowed by the Board of County Commissioners, or Auditor, or paid by the County Treasurer of said county.

Appoint and pay deputies.

SEC. 5. All Acts and parts of Acts, in so far as they conflict with the provisions of this Act, are hereby repealed.

CHAP. LXXV.—*An Act declaring the willful prevention of, or attempt to prevent, any person from procuring employment, to be a misdemeanor and providing a punishment therefor.*

[Approved March 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Guilty of a
misdemeanor.

SECTION 1. Any person, association, company, or corporation within this State, or agent, or officer, on behalf of such person, association, company, or corporation, who shall hereafter willfully do anything intended to prevent any person who shall have for any cause left or been discharged from his or its employ from obtaining employment elsewhere in this State, shall be deemed guilty of a misdemeanor, punishable by a fine of not less than fifty (\$50) dollars, nor more than two hundred and fifty (\$250) dollars for each such offense, or imprisonment in the County Jail at the rate of one day for each two (\$2) dollars of such fine.

SEC. 2. This Act shall be in force from and after its passage.

CHAP. LXXVI.—*An Act to provide for clerical aid in the State Library.*

[Approved March 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Secretary of
State to
appoint
Library
Clerk.

SECTION 1. The Secretary of State shall have power to appoint a Clerk, to act as Librarian, at a salary of seven hundred and twenty dollars a year, commencing from the 8th day of January, A. D. 1895.

CHAP. LXXVII.—*An Act to amend an Act entitled "An Act regulating the compensation of county officers in the several counties of this State, and other matters relating thereto," approved March 20, 1891.*

[Approved March 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended so as to read as follows:

Lander
county
officers and
salaries.

Section one. The Sheriff and *ex officio* Assessor of Lander county shall continue to receive the same compensation for official services as now provided by law; the County Clerk, as such, and also for all services as *ex officio* Clerk where he is now such by law, shall receive an annual salary of nine hundred dollars, payable in equal monthly payments, and such civil fees as are now allowed by law; the County Recorder, as such, and as *ex*

officio Auditor, shall receive the fees allowed under an Act of February 27, 1883, and such other compensation as is allowed by law; the District Attorney, as such, and as *ex officio* Superintendent of Public Schools, shall receive an annual salary, from and after the first day of January, eighteen hundred and ninety-five, of fifteen hundred dollars, payable in equal monthly payments; the County Treasurer and *ex officio* Tax Receiver shall receive an annual salary of twelve hundred dollars, payable in equal monthly payments; the members of the Board of County Commissioners shall receive an annual salary of four hundred dollars each, and such mileage as is now allowed by law. No salary provided for in this Act shall be paid in advance, and no officer or *ex officio* officer mentioned in this Act shall be allowed to employ any deputy at the expense of said Lander county. All officers of said Lander county named in this Act, except the Sheriff and *ex officio* Assessor, County Clerk, Recorder and *ex officio* Auditor, shall collect all legal fees, percentage and other compensation for their official services allowed by law, and pay the same into the treasury of said Lander county at the times and in the manner required by the Act of which this Act is amendatory, and shall in all respects conform to and be governed by sections sixteen to twenty-one, inclusive, of said Act; and none of said officers shall be paid any salary or other compensation for official services when in arrears in making the payment into the treasury of said county required by this Act.

SEC. 2. This Act shall be in full force and effect from and after the date of its passage, and all Acts and parts of Acts so far only as in conflict with the provisions of this Act are hereby repealed.

CHAP. LXXVIII.—*An Act making appropriations for the support of the civil government of the State of Nevada for the fiscal years 1895 and 1896.*

[Approved March 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The following sums of money are hereby appropriated for the purpose hereinafter expressed, and for the support of the government of the State of Nevada for the years 1895 and 1896:

SEC. 2. For the salary of the Governor, eight thousand dollars (\$8,000). Governor.

SEC. 3. For the salary of the Governor's Private Secretary, twenty-four hundred dollars (\$2,400).

SEC. 4. For payment of rewards offered by the Governor, two thousand dollars (\$2,000). Rewards.

SEC. 5. For per diem and mileage of Lieutenant-Governor while as acting as Governor, one thousand dollars (\$1,000). Lieutenant-Governor.

SEC. 6. For salary of Secretary of State and *ex officio* Clerk of the Supreme Court and *ex officio* State Librarian, forty-eight hundred dollars (\$4,800). Secretary of State.

SEC. 7. For salary of Deputy Secretary of State, twenty-four hundred dollars (\$2,400).

State Controller. SEC. 8. For salary of State Controller, forty-eight hundred dollars (\$4,800).

SEC. 9. For salary of Deputy State Controller, twenty-four (\$2,400).

Collection of revenue. SEC. 10. For enforcing collection of revenue and prosecuting delinquents, to be under the control and direction of the State Controller, five hundred dollars (\$500).

State Treasurer. SEC. 11. For salary of State Treasurer, forty-eight hundred dollars (\$4,800).

SEC. 12. For salary of Deputy State Treasurer, twenty-four hundred dollars (\$2,400).

Attorney-General. SEC. 13. For salary of Attorney-General, four thousand dollars, (\$4,000).

Surveyor-General. SEC. 14. For salary of Surveyor-General and State Land Register, forty-eight hundred dollars (\$4,800), payable out of the State School Fund.

SEC. 15. For salary of Deputy Surveyor-General and State Land Register, twenty-four hundred dollars (\$2,400), payable out of the State School Fund.

Draughtsman Land Office. SEC. 16. For salary of Draughtsman in State Land Office, twenty-four hundred dollars (\$2,400), payable out of the State School Fund.

Pay of clerks Land Office. SEC. 17. For salary of Clerks in State Land Office, and for transcribing old township plats and abstract books, twenty-six hundred dollars (\$2,600), payable out of the State School Fund.

Township plats. SEC. 18. For the purchase of township plats furnished from the United States Surveyor-General's Office, *provided* that the price per plat shall not exceed six dollars (\$6), five hundred dollars (\$500), payable out of the State School Fund.

Attorney at Washington. SEC. 19. For pay of attorney at Washington, D. C., to attend and represent the land interests of the State before the departments, for the year 1895, one thousand dollars (\$1,000), and for the year 1896, five hundred dollars (\$500).

Superintendent of Public Instruction. SEC. 20. For salary of the Superintendent of Public Instruction and *ex officio* Curator of State Museum, forty-eight hundred dollars (\$4,800), payable out of the General School Fund.

Public schools. SEC. 21. For traveling expenses of Superintendent of Public Instruction, six hundred dollars (\$600), payable out of the General School Fund.

Teachers' Institute. SEC. 22. For expenses of Teachers' Institute, for eighteen hundred and ninety-five and eighteen hundred and ninety-six, two hundred dollars (\$200), payable out of the General School Fund.

Supreme Court. SEC. 23. For the salaries of the Justices of the Supreme Court, thirty thousand dollars (\$30,000).

Bailiff. SEC. 24. For pay of Bailiff of the Supreme Court, four hundred dollars (\$400).

State Printer. SEC. 25. For salary of the Superintendent of State Printing, four thousand dollars (\$4,000).

SEC. 26. For the support of the State Printing Office,

including printing of Nevada reports, twelve thousand dollars (\$12,000). State printing.

SEC. 27. For the purchase of a printing press and other new material for the State Printing Office, two thousand dollars (\$2,000).

SEC. 28. For official advertising and book binding, including Supreme Court reports, three thousand dollars (\$3,000). Book binding and advertising.

SEC. 29. For transportation, care and support of the indigent insane of the State, to be expended under the direction of the Board of Commissioners, seventy thousand dollars (\$70,000). Insane Asylum.

SEC. 30. For building at Insane Asylum a fireproof vault for the storage of records, and for building an iron tower and water tank, stone or brick carpenter shop and morgue, three thousand dollars (\$3,000).

SEC. 31. For the support of the State Orphans' Home, to be expended under the directions of the Board of Directors, twenty-nine thousand dollars (\$29,000). State Orphans' Home.

SEC. 32. For building a dormitory and making other improvements and repairs at the State Orphans' Home, four thousand dollars (\$4,000).

SEC. 33. For the support of the Nevada State Prison, sixty-three thousand dollars (\$63,000). State Prison.

SEC. 34. For repairs to Nevada State Prison and other buildings connected therewith, three thousand dollars (\$3,000). Repairs.

SEC. 35. For the support and education of the deaf, dumb and blind, and their transportation to and from the Institution, to be expended under the direction of the Board of Commissioners for the Care of the Insane, three thousand dollars (\$3,000). Deaf, dumb and blind.

SEC. 36. For traveling expenses of the District Judges, thirty-six hundred dollars (\$3,600). District Judges.

SEC. 37. For salaries of janitor, gardeners and night watchman for State Capitol Building and grounds, also Printing Office Building and grounds, six thousand dollars (\$6,000). State buildings.

SEC. 38. For stationery, fuel and lights for State offices and the State Capitol Building and grounds, four thousand dollars (\$4,000). Lights, fuel, stationery.

SEC. 39. For current expenses, telegraph, postal and contingent for the State officers, Supreme Court and State Library, and for the transportation of State property, three thousand six hundred dollars (\$3,600). Contingent expenses.

SEC. 40. For election expenses, purchase of paper, boxing, freights, etc., one thousand dollars (\$1,000).

SEC. 41. For maintaining Capitol grounds and water works, twenty-five hundred dollars (\$2,500). Capitol grounds.

SEC. 42. For painting and calcimining Capitol Building, whitening State Printing Office Building, painting fence around the Capitol and State Printing Office, furniture and repairs, two thousand dollars (\$2,000). Furniture and repairs.

SEC. 43. For the necessary expenses of the Fish Commissioner in carrying out the provisions of an Act entitled "An Act to provide for the preservation of fish in the waters of this Fish Commissioner.

State," approved March fifth, eighteen hundred and seventy-seven, three thousand dollars (\$3,000).

Weather
Service.

SEC. 44. For salary of Director of the State Weather Service, twelve hundred dollars (\$1,200).

SEC. 45. For the purchase of instruments for, and contingent expenses of Weather Service Stations, one hundred dollars (\$100).

State
University.

SEC. 46. For the support of the State University and Laboratory, thirty thousand dollars (\$30,000), payable out of the Contingent University Fund and the Interest Account Ninety Thousand-Acre Grant, fifteen thousand dollars from each.

SEC. 47. For purchase of books for State University Library, one thousand dollars (\$1,000).

Concrete
walk.

SEC. 48. For building concrete walk from eastern porch of Capitol Building to connect with walk on east side of Capitol Square, three hundred and eighty dollars (\$380).

Legislative
halls.

SEC. 49. For furnishing lights and fuel, and repairing legislative halls and furniture for the Eighteenth Session of the State Legislature, five hundred dollars (\$500).

SEC. 50. For the support of the State Board of Health, one thousand dollars (\$1,000).

Deficiencies.

SEC. 51. For payment of shortage in salaries in State officers and deputies, due to the reduction in salaries, from January 1 to 7, 1895; from the General Fund, two hundred dollars (\$200); from the State School Fund, thirty dollars (\$30); from the General School Fund, twenty dollars (\$20); to J. Josephs, \$58 31.

Clerk State
Library.

SEC. 52. For pay of salary of Clerk in State Library, to be expended under the direction of Secretary of State, fourteen hundred and forty dollars (\$1,440).

Agricultural
Society.

SEC. 53. For pay of deficiency in Agricultural Society for 1894, three thousand thirteen and 65-100 dollars (\$3,013 65).

CHAP. LXXIX.—*An Act directing the submission of certain questions to the electors of the Reno election precincts at the general election of 1896.*

[Approved March 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Reno
election
precincts.

SECTION 1. Not less than twenty-five days before the general election to be held A. D. 1896, the Secretary of State shall certify to the County Clerk of Washoe county, Nevada, the following questions to be submitted to the electors of the Reno election precincts at the said general election, to wit:

First—"Shall Reno be incorporated?"

Second—"Shall Reno acquire and operate municipal water-works?"

Third—"Shall Reno acquire and operate a municipal light plant?"

SEC. 2. Said questions shall be submitted to the electors of the Reno election precincts at the general election to be held A.

D. 1896, in manner and form complying with the provisions and requirements of "An Act relating to elections and to more fully secure the secrecy of the ballot," approved March 13, 1891, and of the various Acts supplementary thereto and amendatory thereof.

To be
submitted to
electors.

SEC. 3. The result of the vote upon the aforesaid questions shall be considered as advisory only and not as having any legal or binding effect.

CHAP. LXXX.—*An Act to incorporate Storey county and provide for the government thereof.*

[Approved March 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. All that tract of land in the State of Nevada, within the boundaries described as follows: Beginning at the northwestern corner of Lyon county, and running thence in an easterly direction along the north boundary of Lyon county to the northeastern corner thereof; thence north in a straight line to the road leading from the lower crossing of the Truckee river to the Sink of the Humboldt; thence westerly along said road to the middle of the Truckee river; thence up the middle of said river to the eastern line of Washoe county; thence southerly along said line to the place of beginning, is hereby declared to be a municipal corporation, and shall be and continue a body politic and corporate, in name and in fact, by the name, "Storey County," and by this name, shall have perpetual succession, may sue and defend, in all Courts and places, and in all matters and proceedings, whatever, and may have and use a common seal and the same alter at pleasure, and may purchase, receive, hold and enjoy real and personal property, within and without said Storey county, and sell, convey, mortgage and dispose of the same for the common benefit, receive bequests, gifts and donations of all kinds of property, within and without Storey county, in fee simple or in trust for charitable or other purposes, and do all acts necessary to carry out the purposes of such gifts, bequests and donations, with power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the gift, bequest or trust.

Boundary
line of
Storey
county.

Rights of
the county.

SEC. 2. The public buildings, lands and property, all rights of property and rights of action, all moneys, revenues and incomes belonging or appertaining to Storey county, the city of Virginia and the town of Gold Hill, are hereby declared to be vested in Storey county.

Vested
rights.

SEC. 3. The said Storey county shall have, hold and enjoy all public buildings, lands, property, real and personal, rights of property, rights of actions, suits, actions, moneys, revenues, incomes, books, documents, records, archives, claims, demands and things in possession and action of every nature and description, and shall be subject to all debts, obligations, liabilities,

dues and duties, of Storey county, the city of Virginia and town of Gold Hill.

SEC. 4. Suits, actions and proceedings may be brought in the name of said county, for the recovery of any property, money or things belonging thereto, or to the city of Virginia or town of Gold Hill, in law or equity, or dedicated to public use therein; or for the enforcement of any rights of, or contracts with said county, city or town; and all existing suits, actions and proceedings in the Courts or elsewhere, to which said county, city or town is a party, shall be carried on by or against said county.

SEC. 5. The government of Storey county shall be vested in the Board of County Commissioners of Storey county, as the legislative power of said county, as by law provided.

SEC. 6. The officers of said county, shall be, as now provided by law, with like powers, jurisdiction, authority, duties and liabilities as are prescribed by existing law, until otherwise provided, except as limited or enlarged in this Act.

SEC. 7. The moneys in the treasury to the credit of any fund, except the State Fund and Common School Funds, and the revenues and incomes hereafter paid into the treasury, shall at once be apportioned to and kept in a single fund, to be known as the County General Fund, out of which fund shall be paid all claims and demands whatsoever authorized by law, to be audited and allowed by the Board of County Commissioners. There shall be but one fund, and one account of receipts and disbursements for county purposes.

SEC. 8. The Common School Fund shall continue as provided by law. Out of this fund shall be paid all sums necessary for the purchase, rent and improvement of school sites; for the construction, alteration and repairs of school buildings; for the discharge of incumbrances on school property; for the salaries and wages of teachers, officers and employes connected with the common schools, and of other persons who may be employed in the school department; for supplying the common schools with light, fuel, water, apparatus and necessary school appliances, and for all other expenses of the school department.

SEC. 9. The Board of County Commissioners may allow, in any one year, the sum of three hundred dollars, and no more, as compensation for a deputy or deputies for the County Clerk and *ex officio* Treasurer. The said Board may also allow, the sum of three hundred dollars, and no more, in any one year, to the Sheriff and *ex officio* Assessor, for compensation for a deputy or deputies.

SEC. 10. The said Board of County Commissioners at the time for levying State and county taxes, may annually levy, upon all property, within said county, including the proceeds of mines, subject to taxation, a tax for county purposes, not exceeding the sum of \$3 50 on each one hundred dollars valuation thereof.

SEC. 11. The Legislature hereby reserves the right, to amend, modify or repeal this Act.

Board of
County Com-
missioners.

Relating to
county
officers.

Relating to
funds.

But one
fund.

Common
School
Fund.

Deputies
may be
allowed.

Tax levy.

SEC. 12. All Acts and parts of Acts, in so far as conflicting with or repugnant to this Act are hereby repealed.

CHAP. LXXXI.—*An Act regulating the compensation of the District Attorney of White Pine county.*

[Approved March 15, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The District Attorney, *ex officio* Public Administrator and *ex officio* County Superintendent of Schools of White Pine county, shall receive for his services, a salary of eight hundred dollars per annum and such other fees as are allowed by existing statutes.

White Pine county.
Duties and salary of District Attorney.

SEC. 2. This Act shall be in effect from and after the first day of April, A. D. eighteen hundred and ninety-five.

CHAP. LXXXII.—*An Act to amend section five of an Act entitled "An Act in relation to public highways," approved March 9, 1866; approved February 14, 1887.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of said Act is hereby amended so as to read as follows:

Section five. If twenty-four freeholders in any township of any county containing one hundred or more legal voters, or twelve freeholders of any county containing less than one hundred legal voters, shall petition the Board of County Commissioners of such county for the location, opening to the public use, re-establishment, change or vacation of any road or highway to connect with any highway heretofore established, or any street or alley in any unincorporated town in such county, setting forth in such petition the beginning, course and termination of such road, highway, street or alley proposed to be located, open to public use, re-established, changed or vacated, together with the names of the owners or occupants of the land through which the same may pass; the Auditor of such county shall lay such petition before the Board of County Commissioners at their next session thereafter and thereupon such Board of County Commissioners may, within twenty days thereafter, proceed to locate, open to public use, re-establish, change or vacate such road, highway, street or alley; *provided*, that any public highway laid out or opened under the provisions of this Act shall be at least four rods wide. Before opening any new road, street or alley through any property, it shall be condemned to public use as follows: The Board of County Com-

Duties of County Commissioners as to opening roads.

Number of
viewers to be
appointed.

missioners shall appoint two disinterested persons to view, lay out and locate such new road, street or alley, and such two persons in conjunction with two others, chosen by any owner or occupant, or by the several owners or occupants of the property to be traversed by such road, street or alley, shall ascertain the damage done to any property so traversed, after deducting any advantage arising from such road, street or alley, to the owner or occupant of such property. If such four persons cannot agree as to such damages, then they shall choose a fifth, and the decision of a majority of them shall govern, and be reported to the Board of County Commissioners. If the owner or owners or occupants of any property so condemned shall not acquiesce in the amount of damages so reported, an examination may be had before the Board and witnesses be examined for the State and such owner or owners or occupants and the decision of the Board shall be final, unless such owner or owners, or occupants appeal from the decision of the Board within thirty days after such decision to the District Court, which he or they may do in the same manner that appeals are taken from Justices' Courts to the District Court. Upon finally determining such damages, the Board shall provide for the payment of such damages, either by the person interested in such road, street or alley, or pay the same out of the County Treasury as other claims are paid, and after such payment is made the Board shall then cause such road, street or alley to be opened.

CHAP. LXXXIII.—*An Act to repeal section four of an Act entitled "An Act to abolish the office of State Mineralogist, and provide for the care and preservation of the State Museum," approved February 1, 1877.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Repeal. SECTION 1. Section four of the Act of the Legislature of the State of Nevada, entitled "An Act to abolish the office of State Mineralogist, and provide for the care and preservation of the State Museum," approved February 1, 1877, is hereby repealed.

CHAP. LXXXIV.—*An Act supplemental to an Act entitled "An Act relating to the State University and matters properly connected therewith," approved February 7, 1887.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be the duty of the President of the State

University, in addition to his other duties as fixed by law, to cause to be analyzed by an assistant, teacher or teachers employed at the State University, any ores, mineral, soil or water taken from within the boundaries of the State of Nevada, and sent by any citizen of said State for that purpose. Any citizen of the State may send any such substances and have the same analyzed free of charge, and the result of the same returned to him by mail with as near as possible an explanation of their uses and value in market, and there shall be kept at the State University a book of record, open for inspection, under such rules as may be made by the Regents, of all mineral, ores or other matters so sent with the history of such mineral or other matters, stating the name of the person or persons from whom received, the district and county from which it came, and all other matters that may be beneficial touching the same. A duplicate of the sample analyzed, as far as practicable, shall be kept at the University properly labeled so as to correspond to the record, and properly preserved.

Relating to
assays at
State
University.

SEC. 2. If the same kind of matter for analysis is sent from the same place, it shall not be necessary to analyze the same, but a duplicate of the analysis shall be sent by mail to the person desiring the same.

Relating to
analysis in
duplicate.

SEC. 3. Samples for analysis shall be analyzed in the order received.

SEC. 4. Sample assays for gold or silver shall not be made.

CHAP. LXXXV.—*An Act to repeal an Act entitled "An Act to encourage the development of the mineral resources of the State of Nevada," approved March 14, 1891.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Act entitled "An Act to encourage the development of the mineral resources of the State of Nevada," approved March 14, 1891, is hereby repealed.

Repeal.

CHAP. LXXXVI.—*An Act to pay the deficiencies in the appropriations for the years 1894 and 1895.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of ninety-five dollars and ninety-one cents (\$95 91) is hereby appropriated out of any money in the General Fund of the State for the payment of the deficiencies in the appropriations for the years of 1894 and 1895, as follows:
To Reno Mill and Lumber Company, five (5) dollars and

Appropriation for deficiencies.

Names and
amounts of
claimants.

seventy cents; Tassell Brothers, ten dollars and twenty-five cents; H. J. Thyres, eight dollars and fifty cents; W. O. H. Martin, one dollar and thirty-six cents; Nevada Cash Dry Goods Store, one dollar and fifty cents; Dixon & Brother, eleven dollars and five cents; Coffin & Larcombe, twelve dollars and fifteen cents; M. L. Holland, one dollar; Middour & Frey, six dollars and fifty-five cents; Ash Brothers, six dollars and fifty cents; Morris & Levy, one dollar; John G. Fox, nineteen dollars and fifty cents; John G. Fox, two dollars and eighty-five cents; Gus Koppe, eight dollars.

State
Controller
to draw
warrant.

SEC. 2. The State Controller is hereby directed to draw his warrant in favor of the persons named for the several amounts specified in this Act, and the State Treasurer is hereby directed to pay the same.

CHAP. LXXXVII.—*An Act authorizing and directing the State Controller and the State Treasurer to transfer certain money.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Transfer of
money to
State
Interest and
Sinking
Fund.

SECTION 1. The State Controller and the State Treasurer are hereby authorized and directed to transfer one thousand fifty-seven and 94-100 dollars from the Indigent Insane Interest and Sinking Fund to the State Interest and Sinking Fund, said amount being the balance remaining in said fund after paying all demands for which the fund was created.

CHAP. LXXXVIII.—*An Act to pay the deficiencies in the appropriations for the years 1893 and 1894.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation for deficiencies

Names and
amounts of
claimants.

SECTION 1. The sum of four thousand two hundred and thirteen dollars and nine cents (\$4,213 09) is hereby appropriated out of any money in the General Fund of the State for the payment of the deficiencies in the appropriations for the years A. D. 1893 and 1894, as follows: To H. S. Crocker & Co., \$21 30; to F. J. Steinmetz, \$6; to E. D. Vanderlieth, \$66 60; to A. Helm, \$66 60; to F. J. McCullough, \$66 60; to R. M. Horton, \$66 60; to Wm. T. Hanford, \$66 60; to Wells, Fargo & Co., \$166 75; to G. Briggs, \$15; to Carson-Tahoe Lumber and Flume Co., \$21; to Virginia and Truckee Railroad Co., \$142 21; to Morning Appeal, \$10; to E. D. Vanderlieth, \$166 66; to A. Helm, \$166 66; to R. M. Horton, \$166 66; to F. J. McCullough, \$166 66; to Wm. T. Hanford, \$166 66; to California Institution for the Deaf, Dumb and Blind, \$294 10; to Orvis Ring, \$63 37; to Morning News, \$6 10; to Gilbert Briggs, \$15; to Fred Wilder,

\$3; to H. K. Brown, \$10; to Armstrong & De Guerre, \$167 75; to Armstrong & De Guerre, \$6; to Armstrong & De Guerre, \$3; to Armstrong & De Guerre, \$595 48; to E. D. Vanderlieth, \$166 74; to A. Helm, \$166 74; to R. M. Horton, \$166 74; to F. J. McCullough, \$166 74; to Wm. T. Hanford, \$166 74; to C. H. Galusha, \$24 96; to M. G. Brambila, \$65; to Geo. H. Bell, \$61 10; to L. H. Bell, \$8 75; to Thaxter's Drug Store, \$6 25; to Wells, Fargo & Co., \$1 30; to H. B. Millard, \$40 87; to Virginia and Truckee Railroad Co., \$.70 (cents); to C. E. Bray, \$3; to Carter, Rice & Co., \$420; to R. M. Horton, \$2 25; to Wm. T. Hanford, \$20 25; to Reno Gazette, \$6; to Orvis Ring, \$5 90; to John G. Fox, \$.70 (cents).

Sec. 2. The State Controller is hereby directed to draw his warrants in favor of the persons above named for the several amounts specified in this Act, and the State Treasurer is hereby directed to pay the same.

State
Controller
to draw
warrant.

CHAP. LXXXIX.—*An Act to amend an Act entitled "An Act authorizing a State loan," approved March 6, 1893.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended so as to read as follows:

Section one. For the purpose of keeping the State on a cash basis, without resorting to an onerous rate of taxation, the sum of ninety-two thousand dollars is hereby authorized to be borrowed for the use and benefit of the General Fund of the State, from the State School Fund at such times and in such amounts as may be necessary to meet the requirements of the State government, and the sum of thirty-seven thousand dollars is hereby authorized to be borrowed for the purpose of providing funds for the support and maintenance of the State University, without resorting to an onerous rate of taxation, from the State University Fund and the University Fund Ninety Thousand Acre Grant, for the use and benefit of the Contingent University Fund and Interest Account Ninety Thousand Acre Grant, at such times and in such amounts as may be necessary to meet the requirements of the State University.

Loan for use
of General
Fund.

Loan for use
of State
University.

CHAP. XC.—*An Act to provide for free public libraries and other matters relating thereto.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever a petition for the establishment of a free public library, signed by a majority of the taxpayers or by

Free public
libraries.

taxpayers representing a majority of the taxable property, as shown by the last preceding assessment roll on any city, unincorporated town or School District, shall be presented to the Board of County Commissioners of the county, in which said city, unincorporated town or School District is situated, accompanied by affidavit of one or more of the signers thereof, that the signatures thereto are genuine, the said Board of County Commissioners shall levy, annually thereafter, in the manner and at the time other taxes are levied, a tax upon all the taxable property of the said city, unincorporated town or School District, of not less than one mill nor more than five mills on each one hundred dollars' valuation, of the taxable property therein, for the purpose of creating a fund to be known as the Library Fund.

Tax to be
levied.

Library
Trustees.

SEC. 2. Upon the presentation of a petition as provided in section one of this Act, the said Board of County Commissioners shall appoint three competent persons, to be known as Library Trustees, who shall hold office for the period of one, two and three years, respectively, and shall annually thereafter appoint one Library Trustee, who shall hold office for the period of three years, and all vacancies which may occur at any time in the said office of Library Trustee, shall be filled by appointment by the said Board of County Commissioners; said Trustees shall serve without compensation and shall hold office until their successors are appointed and qualified.

Powers of
Library
Trustees.

SEC. 3. Said Library Trustees shall have power to, and shall establish and maintain a library and reading room, make purchases, secure rooms, employ assistants, appoint officers, establish by-laws and regulations, and manage and control the affairs and business of said library; and they and their successors, shall hold and possess the property and effects of said library and reading room in trust for the public and for the purpose of said library and reading room, and may as said Library Trustees, and for the purpose hereinbefore provided, acquire and hold real estate and personal property, by purchase or bequest, and administer any trust declared or created, for such library or reading room, and may prosecute, maintain or defend any action, in reference to the property or affairs of said library and reading room.

Manner of
paying
claims.

SEC. 4. All claims for indebtedness incurred or created by said Library Trustees, shall be audited by a majority of said Library Trustees, and presented to and acted upon by the Board of County Commissioners, and paid out of said Library Fund in the same manner as claims against the county are presented, acted upon and paid. No indebtedness in excess of the amount of money, to be realized in any year from said levy for said Library Fund, shall be incurred by said Library Trustees, or allowed by the Board of County Commissioners and in no case shall any claim except for library and reading room purposes, be allowed or paid out of said Library Fund.

Library and
rooms to be
free.

SEC. 5. Said library and reading room shall forever be and remain free and accessible to the people of such city, unin-

corporated town or School District, subject to such reasonable rules and regulations as said Library Trustees may adopt.

CHAP. XCI.—*An Act to define the constitution, organization, powers and duties of the State Board of Education, and matters properly connected therewith.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State Board of Education shall consist of the Governor, the State Superintendent of Public Instruction and the President of the University. State Board of Education

SEC. 2. The Governor is the President, and the Superintendent of Public Instruction the Secretary of the Board. Officers of Board.

SEC. 3. The Board shall meet at the call of the Secretary, but shall hold at least two meetings a year. Time of meeting.

SEC. 4. The powers and duties of the Board shall be as follows: Powers and duties of Board.

First—To prescribe and cause to be adopted a uniform series of text books in the principal studies pursued in the public schools, to wit: Reading, writing, arithmetic, spelling, language, grammar, geography, history of the United States, physiology and drawing. Special prominence shall be given in all public schools to the effect of alcoholic stimulants and of narcotics upon the human system. No School District shall be entitled to receive its *pro rata* of the public school money, unless such text books on the above subjects as have been prescribed by the State Board of Education shall be used in all the public schools pursuing subjects covered by said text books; and text books shall not be changed oftener than once in four years. For the schools in which the Trustees may direct instruction to be given in additional branches, there shall also be prescribed text books in algebra, geometry, physics, astronomy, physical geography, chemistry, Latin, rhetoric, literature, English history, general history, civics, geology, bookkeeping and music.

Second—To adopt a uniform system of rules for State and county examinations. Rules.

Third—To prescribe and cause to be adopted the course of study in the public schools. Course of study.

Fourth—To recommend a list of books for district libraries. To recommend.

Fifth—To grant, first, life diplomas; second, State educational diplomas, valid for six years; third, State high school certificates, unlimited to those graduates from the School of Liberal Arts of the Nevada State University who have elected at least two University courses in pedagogics; fourth, State high school certificates, valid for five years to graduates of the Nevada State Normal School who have completed the four years' course of study; fifth, State grammar school certificates, valid for five years, to graduates of the Nevada State Normal School who have completed the three years' course of study. To grant diplomas.

To revoke diplomas. Sixth—To revoke for immoral conduct, or evident unfitness for teaching, any State diploma, or any State or county certificate.

Relating to printing. Seventh—To have done by the State Printer any printing required by the Board, such as the proceedings of the State Teachers' Institute, circulars of information to school officers or teachers, and blank forms.

Official seal. Eighth—To adopt and use in authentication of its acts an official seal.

To keep a record. Ninth—To keep a record of its proceedings, which shall be published biennially in the report of the Superintendent of Public Instruction.

Diplomas, to whom issued. Tenth—State educational diplomas may be issued to such persons only as have held a State certificate of high school grade, or a county certificate of high school grade for at least one year and shall furnish satisfactory evidence of having been successfully engaged in teaching at least forty-five months in the public schools, twenty months of which must have been in Nevada. Every application for an educational diploma must be accompanied by a certified copy of a resolution adopted by the Board of School Trustees of the district in which the applicant has taught at least one year. An educational diploma shall entitle the holder thereof to teach in any public school in the State of Nevada without further examination.

Life diplomas. Eleventh—Life diplomas may be issued on all and the same conditions as educational diplomas, except that the applicant must furnish satisfactory evidence of having been successfully engaged in teaching seventy-two months in public schools, twenty-four of which must have been in Nevada. A life diploma shall entitle the holder thereof to teach in any school in the State of Nevada without any further examination.

Conditions of granting life diplomas. Twelfth—To the graduates of the Nevada State Normal School who hold State high school certificates, the State Board of Education shall grant a life diploma of high school grade when said graduates shall have completed at least forty-five months of successful instruction in public schools. To all graduates of the Nevada State Normal School who hold a State grammar school certificate, the State Board of Education shall grant a life diploma of the grammar grade when said graduates shall have completed at least forty-five months of successful instruction in public schools.

Appellate jurisdiction. Thirteenth—To have appellate jurisdiction over all questions relating to schools and referred to County Boards of Examination.

To prescribe studies for examination. Fourteenth—To prescribe in what studies shall be examined an applicant for a county high school certificate, valid for four years; an applicant for a county grammar school certificate, valid for three years; and an applicant for a county primary certificate valid for two years.

Board may renew certificates. Fifteenth—Upon the recommendation of the County Superintendent of the county in which the applicant resides, the State Board of Education may renew a high school, or grammar certificate, or make it valid in any county in the State of Nevada.

Sixteenth—Upon presentation to them of a life certificate of any State or of the diploma of any State Normal School the Board may grant a State certificate of equivalent grade without examination, valid for three years or less; *provided*, that since the issuing of such certificate or diploma the applicant has been continuously and successfully engaged in teaching.

State certificate to be granted.

Seventeenth—Graduates of the Nevada State Normal School who have taught successfully for the time specified in this Act, on or before January 1, 1900, shall be entitled to life diplomas of undesignated grade.

Diplomas of undesignated grade.

Eighteenth—All Acts and parts of Acts in conflict with this Act are hereby repealed.

Nineteenth—This Act shall go into effect on the thirtieth day of June, eighteen hundred and ninety-five.

CHAP. XCII.—*An Act to amend section two of an Act entitled an Act to amend sections two and four of an Act entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to provide for the preservation of fish in the waters of this State,' approved March 5, 1877, and to repeal section nine of said Act," approved March 19, 1891, approved March 10, 1893.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said Act is hereby amended so as to read as follows:

Section two. It shall not be lawful for any person or persons between the first day of October of each year and the first day of June of each year to catch or kill any river, lake, or brook trout, or land-locked salmon in any of the streams, rivers, lakes, or other waters within this State; *provided*, that the "close season" as to lake trout in all the lakes of this State shall commence on the first day of January of each year and end on the first day of May of each year; and, *provided further*, that the close season as to the waters of the Humboldt river and its tributaries shall commence on the first day of November of each year and end on the first day of June of each year. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty dollars nor more than one hundred dollars or by imprisonment in the County Jail not exceeding one day for each two dollars of fine, or by both such fine and imprisonment; *provided*, that the "close season" as to lake trout in all the lakes of this State, shall commence on the first day of February of each year, and end on the first day of June of each year.

Close season for fish.

Guilty of misdemeanor.

SEC. 2. Section four of said Act is hereby amended so as to read as follows:

Section four. It shall not be lawful for any railway corpora-

Liabilities
of carriers.

tion, express company or other common carriers or private parties, to ship or transport for sale, or to receive for shipping, or to have in their possession for transportation, any of the river or brook trout or land-locked salmon taken from the rivers, lakes, or other waters of this State between the first day of October of each year, and the first day of June of each year, nor to ship or transport for sale, or to receive for transportation, any lake trout taken from any lake or other waters of this State between the first day of February and the first day of June of each year, nor at any time to have in their possession any illegally caught fish taken from the waters of this State. Any railway corporation, express company or other common carriers or private parties or the managing agent of any railway corporation, express company or common carrier violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than twenty dollars or more than one hundred dollars, or by imprisonment in the County Jail at the rate of one day for each two dollars of fine, or by both such fine and imprisonment.

SEC. 3. Section eight shall be amended to read as follows:

Permit from
State Fish
Commis-
sioner.

Section eight. It shall be unlawful for any person or persons to remove any spawn, or ova, from any variety of trout, or from any lake, river or stream, in the State of Nevada without first having obtained a written permit so to do from the State Fish Commissioner.

CHAP. XCIII.—*An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of Nevada.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relating to
dentistry.

Certificate
required to
practice.

Board of
Examiners.

Composition
and term of
Board.

SECTION 1. That it shall be unlawful for any person who is not at the time of the passage of this Act engaged in the practice of dentistry in this State, to commence such practice unless he or she shall have obtained a certificate as hereinafter provided.

SEC. 2. A Board of Examiners, to consist of five practicing dentists, is hereby created, whose duty it shall be to carry out the purposes and enforce the provisions of this Act. The members of said Board shall be appointed by the Governor who shall select them from ten candidates whose names shall be furnished him by the Nevada State Dental Society. Three members, at least, of this Board shall be members of the Nevada State Dental Society. The term for which the members of said Board shall hold their offices shall be four years, except that the members of the Board first to be appointed under this Act shall hold their offices for the term of two and four years, respectively, and until their successors shall be duly appointed. In case of a vacancy occurring in said Board, such vacancy

shall be filled by the Governor from the names presented to him by the Nevada State Dental Society. It shall be the duty of the Nevada State Dental Society to present twice the number of names to the Governor of those to be appointed.

SEC. 3. Said Board shall choose one of its members President and one the Secretary thereof and it shall meet at least once in each year, and as much oftener and at such times and places as it may deem necessary. A majority of said Board shall at all times constitute a quorum, and the proceedings thereof shall at all reasonable times be open to public inspection.

Officers of
Board.

SEC. 4. Within six months from the time that this Act takes effect it shall be the duty of every person who is at that time engaged in the practice of dentistry in this State, to cause his or her name and residence or place of business, to be registered with said Board of Examiners, who shall keep a book for that purpose. The statement of every such person shall be verified under oath before a Notary Public or Justice of the Peace in such manner as may be prescribed by the Board of Examiners. Every person who shall so register with said Board as a practitioner of dentistry may continue to practice the same, as such, without incurring any of the liabilities or penalties provided in this Act, and shall pay to the Board of Examiners for such registration, a fee of one dollar. It shall be the duty of the Board of Examiners to forward to the County Clerk of each county in the State, a certified list of the names of all persons residing in his county, who have registered in accordance with the provisions of this Act, and it shall be the duty of all County Clerks to register such names in a book to be kept for that purpose.

Duty of
dentists.

County
Clerk to
furnish list.

SEC. 5. Any and all persons who shall so desire may appear before said Board, at any of its regular meetings, and be examined with reference to their knowledge and skill in dental surgery, and if the examination of any such person or persons shall prove satisfactory to said Board, the Board of Examiners shall issue to such persons as they shall find to possess the requisite qualifications a certificate to that effect, in accordance with the provisions of this Act. Said Board shall also endorse as satisfactory, diplomas from any reputable dental college, when satisfied of the character of such institution, upon the holder of such diploma furnishing evidence satisfactory to the Board of his or her right to the same. All certificates issued by said Board shall be signed by its officers, and such certificates shall be *prima facie* evidence of the right of the holder to practice dentistry in the State of Nevada.

Requisite
qualifica-
tions.

SEC. 6. Any person who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction may be fined not less than fifty dollars, nor more than two hundred dollars, or be confined six months in the County Jail. All fines or penalties recovered under this Act shall be paid into the Common School Fund of the county in which such conviction takes place.

Fines for
violation.

SEC. 7. In order to provide the means for carrying out and maintaining the provisions of this Act, the said Board of Exam-

Fees
charged.

iners may charge each person applying to or appearing before them for examination for a certificate of qualification, a fee of ten dollars, which fee shall in no case be returned, and out of the funds coming into the possession of the Board from the fees so charged, the members of said Board may receive as compensation the sum of five dollars for each day actually engaged in the duties of their office, and all legitimate and necessary expenses incurred in attending the meetings of said Board. Said expenses shall be paid from the fees received by the Board under the provisions of this Act. And no part of the salary or other expenses of the Board shall ever be paid out of the State Treasury. All moneys received in excess of said per diem allowance and other expenses above provided for, shall be held by the Secretary of said Board as a special fund for meeting the expenses of said Board and carrying out the provisions of this Act, he giving such bonds as the Board shall from time to time direct. And said Board shall make an annual report of its proceedings to the Governor, by the fifteenth of December of each year, together with an account of all the moneys received and disbursed by them pursuant to this Act.

Board to
report
annually.

Certificate
to be
registered.

Penalty for
neglect to
register.

SEC. 8. Any person who shall receive a certificate of qualification from said Board, shall cause his or her certificate to be registered with the County Clerk of any county or counties in which such person may desire to engage in the practice of dentistry, and the County Clerks of the several counties in this State shall charge for registering such certificate a fee of twenty-five cents for such registration. Any failure, neglect or refusal on the part of any person holding such certificate to register the same with the County Clerk as above directed, for a period of six months, shall work a forfeiture of the certificate, and no certificate, when once forfeited, shall be restored, except upon the payment to the said Board of Examiners of the sum of twenty-five dollars as a penalty for such neglect, failure or refusal.

Penalty for
false claim.

SEC. 9. Any person who shall knowingly and falsely claim or pretend to have or hold a certificate of license, diploma or degree, granted by any society, or who shall falsely, and with intent to deceive the public, claim or pretend to be a graduate from any incorporated dental college, not being such graduate, shall be deemed guilty of a misdemeanor, and shall be liable to the same penalty as provided in section six of this Act.

SEC. 10. Nothing in this Act shall be so construed as to prohibit any person from extracting teeth.

CHAP. XCIV.—*An Act to amend section three of an Act entitled "An Act relating to military encampments," approved March 6, 1893.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said Act is hereby amended so as to read as follows:

Section three. In selecting a site for an encampment the officer in charge of the same shall obtain complete control for the entire time of the encampment of the whole of the grounds used and of as much adjoining land on each side as may be necessary; *provided*, that all encampments authorized by this Act shall be held at, or in the immediate vicinity of, the State Capital.

Site for military encampment, place of holding.

CHAP. XCV.—*An Act to amend an Act entitled "An Act amendatory of an Act entitled 'An Act to provide for the maintenance and supervision of public schools,' approved March 20, 1865," and of Acts amendatory thereof, approved March 7, 1873.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twelve of said Act is hereby amended so as to read as follows:

Section forty-one of said Act is hereby amended so as to read as follows:

Section forty-one. The County Superintendent shall appoint two competent persons who with himself shall be and constitute a Board of Examination, of which he shall be Chairman. Said Board shall be constituted for the purpose of examining applicants for teachers' certificates and granting certificates of qualification for teaching in the public schools. They shall hold examinations at such times as may be provided by law, and be governed by such rules and regulations as the State Board of Education may from time to time direct. They shall grant certificates, except as hereinafter provided, to such persons only as shall pass a satisfactory examination. The certificate so granted shall remain in force as specified in this section, unless revoked for incompetency, immorality or gross neglect of duty. Said Board shall have power to grant certificates of the following grades: High school grade, for teaching a high school, which shall be good for four years; grammar grade, for teaching unclassified and grammar schools, which shall be good for three years; primary grade for teaching a primary school, which shall be good for two years. High school and grammar certificates shall entitle the holders to teach in high schools and grammar schools respectively; a primary certificate shall not entitle the holder to teach any class or classes pursuing high school branches.

County Superintendent to appoint Board of Examiners.

Shall grant certificates.

Must pass
satisfactory
examina-
tion.

The certificate provided for in this section shall be issued to such persons only as pass a satisfactory examination in the branches of studies pursued in each specified grade of the public schools, and such additional studies as the State Board of Education may direct, and shall have given evidence of good moral character and of fitness for teaching. The certificate shall be signed by a majority of the Board of Examination. The Board of Examination shall have power to renew the high school or grammar certificate of any person successfully teaching in the county; *provided*, that the certificates of no one not thus engaged shall be renewed. County certificates made valid for all the counties of this State shall be accepted in all the counties.

CHAP. XCVI.—*An Act in relation to county contracts.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

County
contracts.

SECTION 1. No member of any Board of County Commissioners within this State, shall be allowed to vote on any contract which extends beyond his term of office.

Penalty.

SEC. 2. Any County Commissioners violating section one of this Act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined a sum not less than one hundred nor exceeding five hundred dollars, or three months in the County Jail, or both.

CHAP. XCVII.—*An Act to amend section two hundred and forty-five of an Act entitled "An Act to regulate proceedings in civil cases, in Courts of Justice in this State, and to repeal all other Acts in relation thereto," approved March 8, 1869.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two hundred and forty-five of said Act is hereby amended so as to read as follows:

Relating to
civil cases.

Section two hundred and forty-five. The Judge or referee may order any property of the judgment debtor not exempt from execution, in the hands of such debtor or any other person, or due to the judgment debtor, to be applied towards the satisfaction of the judgment, except that the earnings of the debtor not exceeding fifty dollars for his personal services for the calendar month during which process has been issued shall not be so applied when it shall be made to appear by the debtor's affidavit, or otherwise, that such earnings are necessary for his own support, or the use of a family supported wholly or partly by his labor.

SEC. 2. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

CHAP. XCVIII.—*An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act relating to the State University and matters properly connected therewith,' approved February 7, 1887," approved March 19, 1891.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said Act is amended so as to read as follows:

Section two. Upon the recommendation of the President of the University, the Board of Regents shall issue to those who worthily complete the full course of study in the School of Mines, or in the School of Agriculture, or in the School of Liberal Arts, or in any equivalent course that may hereafter be prescribed, a diploma of graduation, conferring the proper academic degree, from the Nevada State University; and no diploma bearing the distinctive title, "Nevada State University," shall be issued to any one who has not completed the full course of study as above set forth. Upon the recommendation of the President of the University, the Board of Regents shall issue to those who worthily complete the full four years' course of study prescribed in the Nevada State Normal School, a department of the State University, a diploma of graduation, and said diploma shall bear the heading "The Nevada State Normal School," and to all persons receiving this diploma, the State Board of Education shall issue a State high school certificate of the first grade, good for five years. To the holders of the above State high school certificates of the first grade, the State Board of Education shall grant a life diploma when said graduates of the Nevada State Normal School shall have completed at least five years of successful instruction in the public schools of Nevada, or of any other State. Upon the recommendation of the President of the University the Board of Regents shall issue to those who worthily complete the three years' course of study prescribed in the Nevada State Normal School, a grammar grade diploma of graduation, and said diploma shall bear the heading "Nevada State Normal School, Grammar Grade Diploma," and to all persons receiving this grammar grade diploma, the State Board of Education shall grant a grammar grade State certificate good for five years. The Board of Regents may require said Normal School graduates, before granting the diplomas herein provided for, to sign the following obligation: "I hereby agree to report to the President of the University by letter at least twice a year for three years after my graduation and once a year thereafter, so long as I continue in the profession of teaching, and when I shall leave the profession I will report the fact to him with the cause therefor. A failure to make such reports may be considered sufficient cause for the revocation of my diploma." And further, it is hereby expressly provided that the graduates of the Nevada State Normal School for the year 1895 shall receive

State University.

Academic degree, how issued.

Nevada State Normal School.

State high school certificates. Life diploma.

Grammar grade diploma

Cause for revocation.

Diploma of
graduation.

their diplomas and State certificates according to the Act of March 19, 1891, hereby amended. Upon the recommendation of the President of the University the Board of Regents shall issue to those who worthily complete the full course of study in any other department of the University, not equivalent to a regular University course, a diploma of graduation, but said diploma shall bear the name of the department from which it is issued, and in no case to bear the heading of the regular University diploma.

CHAP. XCIX.—*An Act to amend an Act entitled "An Act to prohibit the bringing of diseased animals within this State and to prevent the selling of diseased animals, poultry, fish, game and other articles by butchers, merchants, and others to the general public," approved March 10, 1891, and declaring the violation of the provisions thereof a misdemeanor, and prescribing a punishment therefor, and providing for a liability in damages for the violation thereof and a mode for the collection of the same by civil action.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the Act of which this Act is amendatory is hereby amended so as to read as follows:

Relating to
diseased
animals.

Section one. It shall be unlawful for any person, either for himself or as the agent, manager or employe of any person, partnership, company, association or corporation or for any partnership, company, association or corporation, to do or cause to be done any or either of the following prohibited acts, to wit:

Infectious
diseases.

First—To bring or drive or cause to be brought or driven into the State of Nevada, any sheep, cattle or horses having any infectious or contagious disease, or which have been herded or brought into contact with any other sheep, cattle or horses having such disease, at any time within ninety days immediately prior to their importation into the State of Nevada.

Second—To bring or drive or cause to be brought or driven into the State of Nevada between the last day of March and the first day of November, in any year, any sheep, cattle or horses from any State, Territory or country, situated south of the 36° parallel of north latitude, unless such sheep, cattle or horses have been held at some place north of the said parallel of latitude for the period of at least ninety days immediately preceding their importation into the State of Nevada, or unless the person, partnership, company, association or corporation owning, transporting or having charge of such sheep, cattle or horses, shall procure from the State Board of Health a certificate or bill of health to the effect that said sheep, cattle or horses are all entirely free from every infectious or contagious disease, or shall prove to the satisfaction of said State Board of Health,

To procure
certificate
from State
Board of
Health.

and secure its certificate that none of such sheep, cattle or horses have been exposed, at any time within the ninety days immediately prior thereto, to any of such diseases. The expense of any inspection connected herewith shall be paid by the owner or owners or managers or transporters of such sheep, cattle or horses.

SEC. 2. Section seven of which this Act is amendatory is hereby amended so as to read as follows:

Section seven. It is hereby made the duty of the State Board of Health to issue, upon the application of any person, partnership, company, association or corporation, named in this Act, after satisfactory proof and examination of any sheep, cattle or horses found to be entirely free from all the diseases and dangers in this Act specified, to issue to such person, partnership, company, association or corporation, a certificate or bill of health certifying such good health and freedom from dangerous contact of such sheep, cattle or horses as is mentioned in section one of this Act, and it is hereby made the duty of any Sheriff, Constable, policeman or other peace officer or any member of said State Board of Health to forthwith remove, and they and each of them are hereby authorized and empowered, whenever he or they shall become aware of the existence thereof, any of the animals or articles named in section [two] of the Act of which this Act is amendatory, at the expense of the owner or owners thereof, in a manner that will insure safety and protection to the public. It shall be the duty of the State Board of Health, in cases of diseased stock, to employ a competent veterinary surgeon to inspect and investigate such stock.

Duty of
State Board
of Health.

Duty of
officers.

Veterinary
surgeon to
be employed

SEC. 3. If any person, partnership, company, association or corporation shall bring or cause to be brought into this State, any sheep, cattle or horses, in violation of the provisions of section one of this Act, or shall by false representation procure a certificate of health as provided in section two of this Act, he or they shall be liable to a civil action in any court of competent jurisdiction within the State of Nevada, by the party injured for all damage sustained on account of disease communicated by or from such sheep, cattle or horses, and action therefor is hereby authorized to be brought in the same manner as other suits for damage in a civil action in this State; and the judgment for damages in any such action, shall include the costs of action and such judgment shall be a lien upon all such sheep, cattle or horses, and a writ of attachment may issue in the first instance, and the Court rendering such judgment may order the sale of said sheep, cattle or horses, or so many thereof as may be necessary to satisfy said judgment and accruing costs. Such sale shall be conducted as other sales under execution.

Damages
and method
of recovery.

SEC. 4. Section eight of the Act of which this Act is amendatory is hereby amended so as to read as follows:

Section eight. Every person violating any of the provisions of this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceed[ing] five hundred dollars, nor less than twenty dollars or by impris-

Penalty.

onment in the County Jail, for a term not more than six months, nor fewer than twenty days.

CHAP. C.—*An Act to establish a branch fish hatchery at Elko, Nevada.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State Fish Commissioner is hereby authorized and empowered to establish a branch fish hatchery at or near the town of Elko, in Elko county, for the purpose of stocking and supplying the streams and lakes of the eastern portion of the State of Nevada with such fish as in his judgment are adapted for the said streams and lakes.

SEC. 2. The sum of \$1,000 is hereby appropriated out of any moneys in the General Fund of the State of Nevada not otherwise appropriated, for the purpose of carrying out the provisions of this Act and for the maintenance of such hatchery for the fiscal years of 1895 and 1896.

CHAP. CI.—*An Act to encourage agriculture.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any citizen or resident of the State of Nevada, shall be permitted to sell fruits, eggs, and poultry; also pork and beef by the quarter and any other agricultural products of his own industry without the payment of license.

CHAP. CII.—*An Act to amend an Act entitled "An Act to prevent the spreading of contagious diseases and to establish a State Board of Health," approved March 6, 1893, and to further prescribe the duties of such Board.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of the Act of which this Act is amendatory is hereby amended so as to read as follows:

Section four. The said State Board of Health shall take cognizance of the interest of life and health among the inhabitants of the State; shall make or cause to be made sanitary investigations in inquiries respecting causes of disease, especially

of epidemics and contagious diseases and the means of prevention; the sources of mortality and the effect of localities, employment, habits and circumstances of life on the public health. Said Board shall also, when requested or when in its opinion the sanitary interest of localities require it, advise with municipal, county and township officers with regard to the location, drainage, water supply, heating and ventilation of public buildings and the drainage and sewerage of towns and cities. It shall be the further duty of the said State Board of Health, upon the application of any owner, agent, manager or transporter, of any sheep, cattle or horses to at once examine and take necessary proofs concerning the health and recent exposure to danger and present condition of such sheep, cattle or horses, and if thereupon the Board be satisfied that any or all of such sheep, cattle or horses, are entirely free from all contagious or infectious diseases, said Board shall issue to the person soliciting the same, a certificate or bill of health, certifying to such fact concerning such sheep, cattle or horses, as said Board shall determine to be free from such disease or danger.

To use
means to
prevent
epidemics.

Duty of
Board.

Animals
free from
infectious
diseases.

CHAP. CIII.—*An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. All nominations of candidates for public office to be filled by election within this State, and Presidential elections, must be filed with the proper officer within the time and in the manner prescribed by law. Every certificate of nominations made by the members of a political party, or by a convention, or organized assemblage of delegates, or other body of citizens representing a political party or principles, must be signed as provided by the provisions of sections three and four of an Act approved March 13, 1891, entitled "An Act relating to elections and to more fully secure the secrecy of the ballot," and at the time of filing the certificate of nomination the persons signing such certificate shall also file with the person authorized by the law to receive and file such certificate, the names of five persons who have accepted in writing and consented to act, selected to receive, expend, audit and disburse all moneys contributed, donated, subscribed or in anywise furnished or raised for the purpose of promoting the election of the candidates for office or electors named in the said certificate of nomination, or in any manner to be used in respect to the conduct and management of the election at which such candidates are to be voted for. The certificate of nomination must not be received or filed unless accompanied by the names of five

Relating to
purity of
elections.

Five persons
to act,
receive,
expend and
audit all
moneys to
be used.

Certificate of nomination to be filed only when accompanied by five names to constitute committee.

Vacancy in committee to be filled.

No vacancy, when.

Committee to file statement in detail.

Itemized statement of all moneys received and expended.

Affidavit attached.

Statement, where filed.

Each candidate to file itemized statement.

persons, citizens and electors of this State, to compose such committee, together with their written acceptance and consent to act as such committee as required by this Act. The said committee shall have the exclusive custody of all moneys contributed, donated, subscribed or in anywise furnished or raised for or on behalf of the political party, organized assemblage or body, or candidates represented by said committee, and shall disburse the same on proper vouchers under the direction of the body, or superior authority to which it is subject, if there be any. If for any cause a vacancy shall occur in the membership of said committee prior to the fifteenth day before the holding of an election, the vacancy shall be filled by the same authority as vacancies in the list of nominees are filled. No vacancy by resignation therefrom or refusals to act upon such committee shall occur after the fifteenth day before the holding of an election, or until the said committee shall have completed and discharged all of the duties required of them by this Act. If any vacancy be created by death or legal disability subsequent to the fifteenth day before the holding of an election, such vacancy shall not be filled, and the remaining members shall discharge and complete the duties required of said committee as if such vacancy had not been created.

Sec. 2. Within twenty-one days after the completion of the official canvass of the result of the election, said committee shall file, as hereinafter provided, an itemized statement, showing in detail all of the moneys contributed, donated, subscribed or in anywise furnished or received to the use of the political party, organized assemblage or body, or any or all of the candidates for public office, or electors, coming under the control of such committee, or into their custody, directly or indirectly, together with the name of each contributor, donor, subscriber or source from which such moneys were derived, and an itemized, statement of all moneys expended; such statement shall give the names of the various persons to whom such moneys were paid, the specific nature of each item, by whom the service was performed, and the purpose for which it was expended. There shall be attached to such statement an affidavit, subscribed and sworn to by each member of said committee, setting forth in substance that the statement thus made is in all respects true, and that the same is a full and detailed statement of all moneys, securities or equivalents for money coming under their control or into their custody and by them expended, directly or indirectly. Such statement shall be filed in the same office in which is filed the certificate of the selection of such committee, and shall become a public document, and open to inspection by any citizen.

Sec. 3 Every candidate who is voted for at any public election, held within the State, shall, within fifteen days after the day of holding any such election, file as hereinafter provided, an itemized statement, showing in detail all moneys paid, loaned, contributed, or otherwise furnished to him or for his use, directly or indirectly, in aid of his election, and all moneys contributed, loaned or expended by him, directly or indirectly,

by himself or through any other person in aid of his election. Such statement shall give the names of the various persons who paid, loaned, contributed or otherwise furnished such moneys in aid of his election, and the names of the various persons to whom such moneys were contributed, loaned, or paid, the specific nature of each item, the service performed, and the purpose for which the money was expended, contributed or loaned. There shall be attached to such statement an affidavit, subscribed and sworn to by such candidate, which must be substantially in the following form:

Nature of statement.

State of Nevada, County of —, ss.

I (name), having been a candidate for the office of — at the election held in — on the — day of —, 18—, do solemnly swear that the foregoing statement is a full and true account of all moneys expended by me or in my behalf in said election, and that except as herein stated, I have not, nor to the best of my knowledge and belief has any person, club, society or association, on my behalf, directly or indirectly made any payment or given, promised or offered any reward, office, or employment, or valuable consideration, or incurred any liability, on account of, or in respect of the conduct or management of the said election, except such moneys as may have been paid to or expended by the committee selected as prescribed by the Act of the Legislature of this State [approved March 16, 1895]. And I furthermore solemnly swear that, except as aforesaid, no money, security, or equivalent for money has to my knowledge or belief been paid, advanced, given or deposited by any one, to or in the hands of myself, or any other person, for the purpose of defraying any expenses incurred on my behalf, or in aid of my election, or on account of or in respect of the conduct or management of the said election. And I further solemnly swear that I will not at any future time, make, or be a party to the making or giving of any payment, reward, office, employment or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be a party to the providing of any money, security or equivalent for money for the purpose of defraying any such expenses.

Form of affidavit.

If the candidate seeks to avoid the responsibility of any illegal payment made by any other person in his behalf, he shall set out such illegal payment, and disclaim responsibility thereof. Candidates for offices to be filled by the electors of the State, or any political division thereof greater than a county, and for members of the Senate and Assembly, or Representative in Congress, shall file their statements in the office of the Secretary of State. Candidates for all other offices shall file their statements in the office of the Clerk of the county where the election is held, and within which the duties of the office for which the candidate is voted are to be exercised. All such documents after being filed shall become public records and open to public inspection. Vouchers must be filed for all expenditures, except in the cases of sums under five dollars.

What candidates to file statements with Secretary of State.

Others to be filed with County Clerk.

Vouchers to be filed.

SEC. 4. Any candidate for public office who shall refuse or neglect to file, or who makes a false statement of moneys received

Penalty for
making false
statement.

Result of
neglect.

When
incumbent
forfeits
office.

What are
legitimate
expenses.

Amount
that can be
expended by
candidate,
or in his
behalf.

or expended, as prescribed by section three of this Act, shall in addition to the punishment for such offense prescribed by the laws of this State, forfeit any office to which he may have been elected at the election, with reference to which the statement is required to be made. If a candidate elected to a public office refuses or neglects to file a statement prescribed by section three of this Act, no certificate of election shall be issued to him; neither shall any official bond presented or offered by him be approved, and the incumbent of the office, unless he is himself a defaulting candidate, must not surrender nor deliver up said office, but shall continue to discharge the duties and receive the emoluments thereof. If the candidate refusing or neglecting to file the statement, or making a false statement of moneys received or expended, is the incumbent of an office of profit or trust under the laws of the State, in addition to the punishment prescribed by the laws of this State for such refusal or neglect, or for making such false statement, he shall be deprived of his office, and shall also forfeit any office to which he may have been elected at the election in reference to which the statement is required to be made.

SEC. 5. No sums of money shall be paid, and no expenses shall be incurred by or in behalf of a candidate at an election held within this State at which he is a candidate, or by or on behalf of a committee selected under the provisions of section one of this Act, or by or on behalf of the body or superior authority to which said committee is subject, if any, whether before, during or after an election, on account of or in respect of the conduct or management of such election, except for the expenses of holding and conducting public meetings held for the discussion of public questions, and of printing and circulating specimen ballots, handbills, cards and other papers previous to such election, and of advertising, postage, telegraphing, telephoning, and of supervising the registration of voters and watching the polling and the counting of the votes cast at such election, and of salaries of persons employed in transacting business at office or headquarters, and necessary expenses of maintaining the same, and for rent of rooms necessary for the transaction of the candidate or committee, or superior authority to which such committee is subject, if any, and for necessary incidental expenses, which shall not exceed the sum of one hundred dollars if expended by a candidate, or six hundred dollars if expended by a committee; and no sum shall be paid and no expenses shall be incurred, directly or indirectly, by or on behalf of a candidate, whether before, during or after an election, on account of or in respect of the conduct or management of an election at which he is a candidate in excess of the maximum amount following—that is to say: If the term of office for which the person is a candidate be for two years or less, five per cent. of the amount of one year's salary of the office; if the term be for more than two years and not more than four years, four per cent. of the amount of one year's salary for the office; if the term be for more than four years, three per cent. of the amount of one year's salary of the office; if the

office be one for which in lieu of salary there is allowed per diem for a statutory period, twenty-five per cent. of the amount to accrue for the statutory period; if the office be one for which in lieu of salary a yearly sum is allowed the officer for all the expenses of his office, the expenditures of the candidate for such office shall not exceed ten per cent. of the amount of the allowance for such office; if the office be one for which no salary or compensation is allowed except fees, or a salary not exceeding fifteen hundred dollars per annum and fees, the expenses of the candidate for such office shall not exceed the amount of one hundred and fifty dollars; if the office be one for which no salary or compensation is allowed, or for which a per diem is allowed for the days actually employed in the performance of a public duty, the expenditures of a candidate for such office shall not exceed one hundred dollars; if the candidate is also at the same time a candidate for an unexpired term, he shall not pay or expend any sum on account of such unexpired term, but the maximum amount to be expended by such candidate shall be as hereinabove provided.

SEC. 6. Every claim payable by the committee selected under the provisions of section one of this Act, on account of or in respect of any expenses incurred in the conduct or management of an election held within this State or on behalf of the candidates of the political party, organized assemblages or body which such committee represents, must be presented to the committee within ten days after the return day of the election, and if not so presented the same shall not be paid, and no action shall be commenced or maintained thereon; and all expenses incurred as aforesaid shall be paid within fifteen days after the completion of such official canvass, and not otherwise. Every claim in respect of any expenses incurred by or on behalf of a candidate at an election held within this State, on account of or in respect of the conduct or management of such election, shall be presented to such candidate within ten days after the day of election, and if not so presented the same shall not be paid, and no action shall be instituted or maintained thereon; and all such expenses incurred as aforesaid must be paid within twelve days after the day of election, and not otherwise. Any person who makes a payment in contravention of this section, except when such payment is allowed by the provisions of this Act, is guilty of a misdemeanor.

When
claims must
be presented

Effect of
non-presen-
tation
within
prescribed
time.

Misde-
meanor.

SEC. 7. The District Court of the county in which said statement is filed, or is required to be filed, may, on the application of either committee or candidate, or a creditor of either, allow any claim, not in excess of the maximum amount allowed by this Act, to be presented and paid after the time limited by this Act, and a statement of any sum so paid, with a certificate of its allowance, shall forthwith after payment be filed by the committee or candidate in the same manner as the original statement of the committee or candidate. If the committee or candidate, upon such application, shall show to the satisfaction of said Court that any error or false recital in such statement or affidavit, or that the failure to make such statement or affidavit, or to present,

How pre-
sented
claims may
be paid.

within the designated time, a claim otherwise just and proper, has been occasioned by the absence or illness of such candidate, or by the absence, illness or death of one or more members of such committee, or by the misconduct of any person, other than such applicant, or by the inadvertence or excusable neglect, or of any reasonable cause of a like character, and not by reason of any want of good faith on the part of the applicant, the Court may, after such notice of the application as the Court shall require, and on the production of such evidence of the facts stated in the application as shall be satisfactory to such Court, by order, allow such statement and affidavit to be filed, or such error or false recital therein to be corrected, or such claim to be paid, as to the Court seems just; and such order shall relieve the applicant from any disability or consequences under this Act, in respect of the matters excused by the order. If the application be made by a creditor, the Court may, under like conditions, and upon a like showing, order the claim to be paid, and the creditor shall also be entitled to his cost. The claims of one or more creditors may be united in such application, but the amount and specific nature of each claim must be fully stated.

Creditor
may make
like appli-
cation.

SEC. 8. No payment of money shall be made and no expenses shall be incurred by any person in aid of, or on behalf of any candidate, or on account of or in respect of the conduct or management of an election held within this State, except by a candidate or committee selected under the provisions of section one of this Act, or the committee, body or superior authority to which such committee is subject, and all expenses incurred by the committee, body or superior authority to which such committee is subject shall be paid only from the fund in the custody of the said committee, as selected as required by this Act. Any contract for the payment of money or any expenses incurred contrary to the provisions of this Act shall be absolutely void.

Only
candidate or
committee
permitted to
expend
money.

SEC. 9. No payment of any money shall be made by a committee or candidate for the rent of any premises to be used as a committee-room or headquarters, or for holding a meeting, or for the purpose of promoting the election of a candidate, or on account of or in respect to the conduct or management of an election, where intoxicating liquors are sold for consumption on the premises, or where intoxicating liquor is supplied to members of any club, society or association; *provided*, that nothing in this section shall apply to any part of such premises which is ordinarily let for the purpose of offices, or for holding public meetings, if such part has a separate entrance, and no direct communication with any part of the premises on which any intoxicating liquor or refreshment is sold or supplied as aforesaid.

Regulations
relative to
rent of
rooms where
intoxicating
liquors are
sold.

SEC. 10. Every bill, placard, poster, pamphlet or other printed matter having reference to an election or to any candidate, shall bear upon the face thereof the name and address of the printer and publisher thereof, and no payment therefor shall be made or allowed unless such address is so printed.

Name and
address of
printer.

SEC. 11. Whenever any candidate for a public office pays, lends or contributes, or offers or agrees to pay, lend or contrib-

ute any money or other valuable consideration to or for such person, either for

Certain expenditures prohibited.

First—The doing or procuring to be done of any act forbidden to be done by the laws of this State relating to public elections; or,

Second—The commission of any crime or offense against the elective franchise, or the encouragement or assistance of a person in the commission of a crime or offense against the elective franchise, or aiding or assisting any person charged with the commission of a crime against the elective franchise to evade arrest or to escape conviction and punishment for such crime or offense; or,

Offenses against elective franchise.

Third—Providing wholly or in part the expense of boarding or maintaining a person at any place or domicile in any election precinct or ward or district, with the purpose of securing the vote of such person for himself or any other person at any election held within this State; or,

Boarding and lodging voters.

Fourth—The hiring or employment of a person to take or maintain a place in, or to otherwise obstruct or hinder, or to prevent the forming of the line of voters awaiting their opportunity or time to enter the polling place or election booth of an election precinct; or,

Obstructing line of voters.

Fifth—For services rendered in securing his nomination for the office for which he is a candidate, or for placing his name upon any list of nominees filed with a public officer authorized to receive certificates of nomination, except the cost or expense authorized by the law to be contributed by a candidate for nomination to defray the legal and authorized expenses of a primary election, and except also the cost or the expenses of circulating a nomination petition for signatures, or in consideration of any member of a convention, organized assemblage of delegates or other body representing or claiming to represent a political party or principle, having voted to secure for him his selection or indorsement as the nominee of such convention, organized assemblage or body for the office for which he is a candidate, or in consideration of any person aiding him in securing his election or indorsement as aforesaid; or,

In securing nomination.

Sixth—In consideration of any person withdrawing as a candidate for public office or Presidential Elector at any election held within this State; or,

Withdrawal of candidate

Seventh—For any purpose in contravention of the provisions of this Act; or,

Eighth—For any purpose whatever in excess of the maximum amount which such candidate may lawfully expend under the provisions of this Act; or,

Excess of maximum amount.

Ninth—Makes any payment after the time limited by this Act, unless the same is authorized as provided in this Act, or unless it be in satisfaction of a judgment obtained against him, whether before, during or after an election, in respect of or on account of such election, or who refuses or neglects to [file] the statement prescribed by section one of this Act, or who makes or files a false statement thereof, or is guilty of any crime against the elective franchise, or of any offense which is punishable by fine

Payments after time limited.

**Forfeits
office.**

or imprisonment, or both, under the provisions of this Act, such candidate shall, in addition to the punishment prescribed by the laws of this State, or by this Act, forfeit any office to which he may have been elected at the election in reference to which such crime or offense was committed, and if any candidate so offending is the incumbent of an office of profit or trust under the laws of this State, he shall thereby forfeit such office. Any candidate who procures, aids, assists, counsels or advises the payment of any money or other valuable consideration, by or [on] behalf of a committee selected under the provisions of section one of this Act, and such payment is made for any purpose which, if the money were expended by the candidate would work a forfeiture of the office to which he has been elected, such payment shall be deemed to have been made by such candidate, and he shall forfeit any office to which he may have been elected at the election in reference to which such payment was made by or on behalf of such committee.

**Who may
contest.**

SEC. 12. Any elector of the State, or of any county, city and county, city of any political subdivision of either, may contest the right of any person declared elected to an office to be exercised therein for any of the causes or offenses named in this Act, or to annul and set aside the election of any person declared elected to an office to be exercised therein, who has forfeited his office for any offense committed in contravention of this Act.

Procedure.

In such a proceeding the provisions of the laws of the State relating to the contesting of elections, so far as they are not inconsistent with the provisions of this Act, are applicable to proceedings authorized by this section.

**When
candidates
not liable
for acts of
third party.**

SEC. 13. When, upon the trial of any action or proceeding under the provisions of this Act for the contesting of the right of any person declared elected to an office, or to annul and set aside such election, or to remove a person from his office, it appears from the evidence that the offense complained of was not committed by the candidate, or with his knowledge or consent, or was committed without his sanction or connivance, and that all reasonable means for preventing the commission of such offenses at such election were taken by and on behalf of the candidate, or that the offenses complained of were trivial, unimportant and limited in character, and that in all other respects his participation in the election was free from such offenses or illegal acts, or that any act or omission of the candidate arose from inadvertence or from accidental miscalculation, or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith, and under the circumstances it seems to the Court to be just, that the said candidate should not forfeit his office, or be deprived of any office of which he is the incumbent, then the election of such candidate shall not by reason of such offense or omission complained of be void, nor shall the candidate be removed from or deprived of his office.

**When action
must be
commenced.**

SEC. 14. An action to contest the right of any person declared elected to an office, or to annul and set aside such election, or to deprive any person of an office of which he is the incumbent,

for any offense mentioned in this Act, must, unless a different time be stated, be commenced within forty days after the day of the election at which such offense was committed, or unless the ground of the action or proceeding is the illegal payment of money, or other valuable thing, subsequent to the filing of the statement prescribed by section three of this Act, in which case the action or proceeding may be commenced at any time after such illegal payment. A contest for member of the Senate or Assembly must be commenced within twenty days after the certificate of election is issued or the declaration of the result of the election.

Relating to
Senate or
Assembly.

Sec. 15. An application for filing a statement, payment of a claim or correction of an error false recital in a statement filed, or an action or proceeding to annul and set aside the election of any person declared to be elected to an office, or to remove or deprive any person of his office for any offense mentioned in this Act, must be made to or commenced in the District Court of the county in which the certificate of his nomination as a candidate for the office to which he is declared elected, or is the incumbent, is filed under the provisions of this Act.

When action
must be had.

Sec. 16. A candidate elected to an office, and whose election thereto has been annulled and set aside for any offense mentioned in this Act, shall not, during the period fixed by law to the term of such office, be appointed to fill any vacancy which may occur in such office. Any appointment to an office made in violation of the provisions of this section shall be void.

When
candidate is
ineligible to
appoint-
ment.

Sec. 17. Every offense mentioned in this Act, punishable by imprisonment in the State Prison, is hereby declared to be a felony, and when any person is convicted of an offense herein declared a felony, he shall in addition to the punishment prescribed by the laws of this State for such offense, be excluded from the right of suffrage after such conviction.

Felony.

Right of
suffrage
denied.

Sec. 18. If the District Attorney of the county shall be notified by an officer or other person of any violation of any of the provisions of this Act, it shall be his duty forthwith to diligently inquire into the facts of such violation; and if there is reasonable ground for instituting a prosecution, it shall be his duty to file a complaint or accusation in writing before a Court of competent jurisdiction, charging the accused person of such offense, verifying such by affidavit, but it shall be sufficient to state in such affidavit that he believes the facts therein stated to be true. If any District Attorney fails or refuses to perform any duty imposed upon him by this Act, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall forfeit his office. It shall be the duty of the District Attorney, under penalty of forfeiture of his office, to prosecute any and all persons guilty of violation of any of the provisions of this Act, the penalty of which is fine or imprisonment, or both, or removal from office. Any citizen may employ an attorney to assist the District Attorney to perform his duties under this Act, and such attorney shall be recognized by the District Attorney and Court as associate counsel in the proceeding; and

Duty of
District
Attorney.

Misdemeanor and
penalty.

Assistant
attorneys.

no prosecution, action or proceeding shall be dismissed without notice to, or against the objections of, such associate counsel, until the reasons of the District Attorney for such dismissal, together with the objections thereto, shall have been filed in writing and fully considered by the Court, with such limitation as to the time of filing such reasons and objections as the Court may impose.

Unlawful
acts
generally.

SEC. 19. It shall be unlawful for any person directly or indirectly, by himself or through any other person,

First—To pay, lend or contribute or offer to lend, pay or contribute any money or other valuable consideration to or for any voter, or to or for any other person to induce such voter to vote or refrain from voting at any election, or to induce any voter to vote or refrain from voting at such election, for any particular person or persons, or to induce such voter to come to the polls at such election, or on account of such voter having voted or refrained from voting for any particular person or having come to the polls or remained away from the polls at such election.

Promise of
office.

Second—To give, offer or promise any office, place or employment, or promise to procure or endeavor to procure any office, place or employment to or for any voter or to or for any other person, in order to induce such voter to vote or refrain from voting at any election, or to induce any voter to vote or refrain from voting at such election for any particular person or persons, or to attempt to influence the vote of any person by intimating that his present or future employment is dependent upon the election of any particular person or persons to office.

Gifts, etc.

Third—To make any gift, loan, promise, offer, procurement, or agreement, as aforesaid, to, for or with any person in order to induce such person to procure, or endeavor to procure, the election of any person or the vote of any voter at such election.

Election of
person or
vote of any
voter.

Fourth—To procure, engage, or endeavor to procure or engage, in consequence of any gift, loan, promise, procurement or agreement the election of any person or the vote of any voter at such election.

Advance or
pay money.

Fifth—To advance or pay, or cause to be paid, any money or other valuable thing, to or for the use of any other person, with the intent that the same, or any part thereof, shall be used as bribery at any election; or to knowingly pay, or cause to be paid, any money or other valuable thing to any person in discharge or repayment of any money, wholly or in part expended in bribery at an election.

Money for
boarding or
lodging.

Sixth—To advance or pay, or cause to be paid, any money or other valuable thing, to or for the use of any other person, with the intent that the same or any part thereof, shall be paid for boarding, lodging or maintaining a person at any place or domicile in any election precinct, ward or district with the intent to secure the vote of such person, or to induce such person to vote for any particular person or persons at any election.

Evading
arrest.

Seventh—To advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, with the intent that the same, or any part thereof, shall be used

to assist or aid any person to evade arrest who is charged with the commission of a crime against the elective franchise, for which, if the person were convicted, the punishment would be imprisonment in the State Prison.

Eighth—To advance or pay, or cause to be paid, any money or other valuable thing, to or for the use of any other person in consideration of being selected or indorsed as the candidate of any convention, organized assemblage or other body claiming to represent a political party or principle, or in consideration of any person withdrawing as a candidate for public office. Every person who commits any of the offenses mentioned in this section is punishable, upon conviction thereof, by imprisonment in the State Prison for not less than one year nor more than five years. Payments or promises to organized assemblages
Penalty.

SEC. 20. It shall be unlawful for any person directly or indirectly, by himself or through any other person,

First—To receive, agree or contract for, before or during an election, any money, gift, loan or other valuable thing, office, place or employment, for himself or any other person, for voting or agreeing to vote, or for coming or agreeing to come, to the polls, or for refraining or agreeing to refrain from coming to the polls, or for refraining or agreeing to refrain from voting for any particular person or persons at any election. To receive money, gift, etc., unlawful.

Second—To receive any money or other valuable thing during or after an election, on account of himself or any other person having voted or refrained from voting for any particular person or persons at such election, or on account of himself or any other person having come to the polls or remaining away from the polls at such election, or on account of having induced any other person to vote or refrain from voting, or to vote or refrain from voting for any particular person or persons, or to come or remain away from the polls of such election. To remain away from polls.

Third—To receive any money or other valuable thing before, during or after election on account of himself or any other person having voted to secure the election or indorsement of any other person as the nominee or candidate of any convention, organized assemblage, of delegates or other body representing or claiming to represent, a political party or principle, or any club, society or association, or on account of himself or any other person having aided in securing selection or indorsement of any other person as a nominee or candidate, as aforesaid. Every person who commits any of the offenses mentioned in this section is punishable, upon conviction, by imprisonment in the State Prison for not less than one nor more than five years. To obtain nomination.
Penalty

SEC. 21. Every person who willfully causes, procures or allows himself to be registered in any precinct knowing himself not to be entitled to such registration is punishable by imprisonment in the State Prison not less than one nor more than three years.

SEC. 22. Every person who willfully causes, procures or allows any other person to be registered in any precinct, knowing such person is not entitled to such registration, is punisha-

Penalty. ble by imprisonment not less than one nor more than three years in the State Prison.

Fraudulent voting. **Sec. 23.** Every person not entitled to vote, who fraudulently votes, and every person who votes more than once at any one election, or changes any ballot after the same has been deposited in the ballot box, or adds or attempts to add any ballot to those legally polled at any election, either by fraudulently introducing the same into the ballot box before or after the ballots therein have been counted or canvassed, or at any other time, or carries away or destroys, or attempts to carry away or destroy, any poll lists, ballots or ballot box, for the purpose of breaking up or invalidating such election, or willfully detains, mutilates or destroys any election returns, or in any manner interferes with the officers holding such election, or with voters lawfully exercising their rights of voting at such election, or to prevent such election or canvass to be fairly and lawfully conducted, is punishable by imprisonment in the State Prison not less than two nor more than seven years.

Adding ballots.

Destroying ballot box.

Interference with officers.

Penalty.

Offering bribes. **Sec. 24.** Any person who gives or offers a bribe to any officer or member of any legislative caucus, political convention, committee, primary election or political gathering of any kind held for the purpose of nominating candidates for offices of honor, trust or profit in this State, with intent to influence the person to whom such bribe is given or offered to be more favorable to one candidate than to another, and every person member of either of the bodies in this section mentioned, who receives or offers to receive any such bribe is punishable by imprisonment in the State Prison not less than one nor more than seven years.

Penalty.

Aids, assists, counsels or advises unlawfully. **Sec. 25.** Every person who aids, assists, counsels or advises another to give or offer his vote at any election, knowing that the person is not qualified to vote, or who aids or abets in the commission of any of the offenses mentioned in the preceding sections, is punishable by imprisonment in the State Prison not exceeding two years.

Penalty.

Neglect of duty. **Sec. 26.** Every person charged with the performance of any duty, under the provisions of any law in this State relating to elections, who willfully neglects or refuses to perform it, or who in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, is, unless a different punishment for such acts or omissions is prescribed, by the laws of this State, punishable by a fine not exceeding one thousand dollars, or by imprisonment in the State Prison not exceeding five years, or both.

Dereliction or misconduct of committee. **Sec. 27.** Every person who being a member of a committee selected as prescribed in section one of this Act, or a candidate for a public office at an election, makes a false statement of moneys received and expended, on account of or in respect to the conduct and management of the election in reference to which such statement is filed, is guilty of perjury, and is punished by imprisonment in the State Prison for not less than one year nor more than seven years.

Penalty.

Sec. 28. Every person who signs or presents for filing a statement as prescribed by section one of this Act, which con-

tains the name of a fictitious person, or the name of any person other than those actually selected to perform the duties required of the committee to be selected under the provisions of section one of this Act, or who practices any fraud, device or artifice to conceal the true names of the persons actually charged with the duties belonging to said committee, is punishable, upon conviction, by imprisonment in the State Prison for not less than one year nor more than seven years.

False
certificate.

Penalty.

SEC. 29. A person offending against any of the provisions of sections nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-seven or twenty-eight of this Act is a competent witness against another person so offending and may be compelled to attend and testify upon any trial, hearing, proceeding or lawful investigation or judicial proceeding in the same manner as any other person. But the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying. [A person so testifying] shall not thereafter be liable to indictment or presentment by information nor to prosecution or punishment for the offense with reference to which his testimony was given, and may plead or prove the giving of testimony accordingly in bar of such indictment, information or prosecution.

Who is
competent
witness.

SEC. 30. Every candidate for a public office who refuses or neglects to file a statement as prescribed in section three of this Act, is guilty of a misdemeanor.

Neglect to
file state-
ment a mis-
demeanor.

SEC. 31. Every member of a committee selected under the provisions of section one of this Act who refuses or neglects to file a statement as prescribed by section two of this Act is guilty of a misdemeanor.

Same for
member of
committee.

SEC. 32. Every person who advances or pays or causes to be paid any money or any other valuable thing in contravention of sections eight or nine of this Act, unless a different penalty is provided for such illegal payment, is guilty of a misdemeanor.

Advances or
causes to be
paid money
a mis-
demeanor.

SEC. 33. Every candidate who makes any payment in aid of his election in excess of the sum authorized or permitted to be expended by this Act, or contrary to or in violation of sections five or six of this Act, is guilty of a misdemeanor, unless a different penalty is provided for such illegal payment; each payment so made contrary to or in violation of said sections five or six of this Act shall constitute a separate and distinct offense.

Separate and
distinct
offense.

SEC. 34. Every member of a committee selected under the provisions of section one of this Act, who makes a payment contrary to or in violation of sections five or six of this Act, unless a different penalty is provided for such illegal payment, is guilty of a misdemeanor.

Illegal
payments by
committee.

SEC. 35. Every person who either before or during an election, directly or indirectly, gives or provides, or pays, wholly or in part, the expense of giving or providing any meat, drink, refreshment, nourishment, entertainment or provision to or for any person for the purpose of corruptly influencing that person, or any other person, to give or refrain from giving his vote at an election, or to come to the polls, or remain away from the polls, or on account of such person or any other person having

Entertain-
ment or re-
freshment
for corrupt
purposes
forbidden.

voted, or refrained from voting, or having come to the polls, or remaining away from the polls, is guilty of a misdemeanor.

Force,
violence or
threats.

Sec. 36. It shall be unlawful for any person directly or indirectly, by himself or any other person in his behalf, to make use of, or threaten to make use of any force, violence or restraint, or to inflict or threaten the infliction by himself or through any other person, of any injury, damage, harm or loss, or in any manner to practice intimidation upon or against any person in order to induce or compel such person to vote or refrain from voting, for any particular person or persons at any election or on account of such person having voted or refrained from voting at any election. And it shall be unlawful for any person by

Abduction
or duress.

abduction, duress or any forcible or fraudulent device or contrivance whatever to impede, prevent or otherwise interfere with the free exercise of the elective franchise by an[y] voter, or to compel, induce or prevail upon any voter either to give or refrain from giving his vote for any particular person or persons at any election. It shall not be lawful for any employer in pay-

Pay
envelopes.

ing his employes the salary or wages due them to enclose their pay in "pay envelopes," upon which there is written or printed the name of any candidate, or any political mottoes, devices or arguments, containing threats, express or implied, intended or calculated to influence the political opinions or actions of such employes. Nor shall it be lawful for any employer, within ninety days of an election, to put up or otherwise exhibit in his factory, workshop, office or other establishment or place where his workmen or employes are working, or where they come to receive their pay, any handbill or placard containing any threat, notice or information that in case any particular ticket of a political party or organization or candidate shall be elected, work in his place or establishment shall cease, in whole or in part, or his place or establishment be closed, or the salaries or wages of his workmen or employes be reduced or other threats, express or implied, intended or calculated to influence the political opinions or actions of his workmen or employes. This section shall apply to corporations as well as individuals, and any person or corporation violating the provisions of this section is guilty of a misdemeanor, and any corporation violating this section shall forfeit its charter.

Handbills
and placards
in factories,
etc.

Applies to
corporations
as well as
individuals.

Penalty.

Sec. 37. Any person convicted of a misdemeanor under the provisions of this Act, shall, unless a different punishment has been provided for the offense of which he may be so convicted, be punished by a fine not exceeding five hundred dollars, or by imprisonment in the County Jail, not exceeding six months, or by both such fine and imprisonment.

Sec. 38. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

CHAP. CIV.—*An Act prescribing the duties of the various State Boards and Commissioners as they are now constituted and restricting the powers of State officers and employes.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this Act, no officer or employe of the State shall purchase on the credit of the State any article of supplies, goods, wares or merchandise or obtain any services to be rendered by any person for the State, except by expressed permission and written authority previously obtained from the Board or Commission, or a majority of the members thereof having control and supervision of the department or office for which such purchase is made or such services are rendered. Except only in cases where such officer or employe has specific authority to purchase or obtain the same, conferred upon him by statute.

Purchase of supplies to be made upon authority of the different Boards.

SEC. 2. The State Board of Examiners shall not allow nor the State Treasurer pay any claim of any person for goods sold or services rendered unless the same were sold or rendered in accordance with the provisions of section one of this Act.

CHAP. CV.—*An Act to amend an Act entitled "An Act for the purchase and preservation of public newspapers printed and published in the several counties in this State," approved February 1, 1865.*

[Approved March 16, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the Act entitled "An Act for the purchase and preservation of public newspapers printed and published in the several counties in this State," approved February 1, 1865, is hereby amended so as to read as follows:

Relating to newspapers.

Section one. The Recorders of the several counties of this State are hereby authorized and required to subscribe for one newspaper printed and published at the county seat of each county of the State, and the Board of County Commissioners of the respective counties shall designate the paper so subscribed for as the official paper of the county wherein all legal advertising and printing shall be done; *provided*, the rate for such work shall not exceed the rate now established by law. No paper shall be so subscribed for and designated unless it shall have been established for at least one year, and is printed and published in its entirety at its place of establishment.

Recorders authorized.

County Commissioners to designate official paper.

CHAP. CVI.—An Act amendatory of and supplemental to an Act entitled "An Act relating to the National Guard and the enrolled militia," approved March 6, 1893.

[Approved March 18, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The field officers of a regiment shall be elected by the commissioned officers of the companies comprising the regiment, and hold office for the term of two years, or until their successors are commissioned and qualified. Such election shall be by ballot of the majority present.

Field officers to hold for two years.

SEC. 2. The company commissioned officers shall be elected by a majority vote of the members of the company present qualified to vote, and hold office for the term of two years, or until their successors are commissioned and qualified. Vacancies caused by promotion at any election may be filled at that time.

Company commissioned officers to hold for two years.

SEC. 3. The Commander-in-Chief shall appoint an officer to preside at and superintend all elections of field officers and the Regimental Commander shall appoint an officer to preside at and superintend all election of company officers. Such presiding officer shall immediately make report of the election held, through the proper military channels, to the Adjutant-General. If the person so designated to preside at any election shall not appear thereat, the senior officer present shall preside and if there be a failure to elect at the meeting called the presiding officer shall adjourn the meeting for one week and on failure to elect at the adjourned meeting, the Commander-in-Chief may fill the vacancy by direct appointment.

Officers, how elected.

SEC. 4. The Regimental Commander shall give ten days' notice to the several companies of the holding of an election for field officers, and company commanders shall give ten days' notice to their respective companies of the holding of an election of company officers.

Ten days' notice.

SEC. 5. Every elected officer must upon his election or re-election to any office in the Nevada National Guard, appear before an Examining Board for examination in the drill regulations, guard manual, military laws of the United States, and of this State, and knowledge of all duties appertaining to the rank of the office to which he has been elected. The date of such examination shall be set by the Board within thirty days of election of the candidate. If the officer elected or re-elected, fails to appear before the Board, or give satisfactory excuse for not appearing, on the day ordered by the Board, his election shall be declared void, and a new election ordered.

Elected officers to appear for examination.

Date of examination.

SEC. 6. On failure to pass a satisfactory examination on first trial, the officer may be given one more examination to be had within thirty days of the first. On failure to pass a second examination, his election shall be declared void, and a new election ordered, and the candidate become ineligible to any office in the Nevada National Guard for the period of one year.

When election shall be void.

SEC. 7. Upon passing a satisfactory examination, the Board certifies the same to the Governor, who issues a commission dating from the date of election. Such Examining Board shall consist of one or more commissioned officers to be appointed by the Commander-in-Chief for the examination of all field officers and by the Regimental Commander for the examination of all company officers.

Examining
Board, how
constituted.

SEC. 8. All company non-commissioned officers shall be nominated by the Commander of their respective companies, subject to the approval of the Commander of the regiment who shall issue warrants to the person nominated for a term of two years. But no warrant shall be issued to any person until having passed a satisfactory examination in the duties appertaining to the rank to which he has been nominated. An officer having passed an examination, shall not be required to pass a second examination upon re-election to the same office. The Examining Board herein mentioned shall consist of one or more commissioned officers, appointed by the Commander of the regiment. No non-commissioned officer shall during his term of office be removed or reduced in rank, except by order of a court-martial, or by the Commander of the regiment, for neglect of duty or other sufficient cause.

Company
non-com-
missioned
officers, how
nominated.

Warrants
issued.

SEC. 9. On and after the first day of May, A. D. 1896, the annual election of commissioned officers of companies in the Nevada National Guard shall be held at the first regular meeting of each company in that month, and biennially thereafter as provided in section two of this Act.

Date of
election.

SEC. 10. A company shall consist of not less than thirty-two privates, eight non-commissioned officers, one Captain, one First Lieutenant, and two Second Lieutenants. The number of privates in a company shall not exceed one hundred.

Number of
privates in
company,
and officers.

SEC. 11. It shall be the duty of the Board of County Commissioners of any county in which public arms, accouterments, or military stores are now had or shall hereafter be received for the use of any volunteer organized militia company to provide a suitable and safe armory for organized militia companies within said county. All claims for the expense of procuring and maintaining armories shall be audited and approved by the Board of Military Auditors, and upon approval of such claims they shall be presented to the State Controller who shall draw his warrant upon the State Treasury for the amount so approved, and upon presentation of said warrant, the State Treasurer shall pay the same out of the General Fund. Such expenses shall not exceed seventy-five (\$75) dollars per month for any company except that each company regularly drilling with field pieces or machine guns, and using horses therewith may be allowed an additional sum not to exceed twelve and 50-100 (\$12 50) dollars per month for each piece or gun.

County Com-
missioners
to provide
suitable
armory.

Board of
Military
Auditors.

Monthly
expenses not
to exceed
\$75.

SEC. 12. Section thirty-six and forty-one of "An Act relating to the National Guard and the enrolled militia," approved March 6, 1893, is hereby repealed and all Acts and parts of Acts in so far as they conflict with the provisions of this Act are hereby repealed.

CHAP. CVII.—An Act to provide for the issuing of teachers' certificates by County Boards of Examination and other matters properly connected therewith.

[Approved March 20, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Teachers' certificates. **SECTION 1.** The county primary school certificate, good for two years, shall be issued upon satisfactory examination in the following subjects, and shall entitle the holder to teach in any school in which only primary branches are taught: Orthography, reading, grammar, written arithmetic, mental arithmetic, penmanship, physiology, history of the United States, civil government, geography, current news, drawing, theory and practice of teaching, and, at the discretion of the State Board of Education, music, and the elements of chemistry and physics.

County primary school certificate. **SEC. 2.** The county grammar school certificate, good for three years, shall be issued upon satisfactory examination in the following subjects and shall entitle the holder to teach in primary, grammar, or unclassified schools: All the subjects designated for county primary school certificates, and in addition thereto, algebra, the first and second books of plane geometry, English history, bookkeeping, physical geography, physics, chemistry, and methods of teaching.

County high school certificate. **SEC. 3.** The county high school certificate, good for four years, shall entitle the holder to teach in any school, and shall be issued upon satisfactory examination in all the subjects mentioned in sections one and two of this Act, and, in addition thereto, botany, Latin, general history, English literature, plane geometry, astronomy, rhetoric, civil government, and the history and methods of teaching.

Studies required to be taken. **SEC. 4.** Applicants who have taught successfully under any grade of certificate issued under this Act shall, when applying for the next higher grade, be required to take only the studies of that grade; *provided*, that any person, holding a county primary school certificate, in applying for a county grammar school certificate, need take only the additional branches named in section two of this Act.

No certificate to persons under 16 years of age. **SEC. 5.** No certificate, authorized by this Act, shall be issued to persons under sixteen years of age; nor shall any high school certificate be issued to any person who shall not have successfully taught at least twelve months.

Examinations conducted by County Boards. **SEC. 6.** Examinations for certificates named in this Act shall be conducted by the County Boards of Examination under such rules and restrictions as the State Board of Education may prescribe.

Certificates renewed. **SEC. 7.** The County Board of Examination may renew the certificate of any person successfully engaged in teaching in the county; *provided*, that after the year eighteen hundred and ninety-seven a primary school certificate shall not be subject to renewal.

SEC. 8. As the county certificates of the first and second grade, in force at the passage of this Act, expire, the County Board of Examination may issue, without examination, to the persons holding the same, certificates of equivalent grade as named in this Act; *provided*, that high school certificates shall be thus issued only to those teaching in high schools.

Certificates
of equivalent
grade.

SEC. 9. All Acts and parts of Acts in conflict with this Act are hereby repealed.

SEC. 10. This Act shall go into effect on the thirtieth day of June, eighteen hundred and ninety-five.

CHAP. CVIII.—*An Act to provide for the purchase of a portrait of ex-Governor R. K. Colcord, and to appropriate money therefor.*

[Approved March 20, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Governor John E. Jones is hereby authorized to contract with a competent artist for the purchase of a portrait in oil colors of ex-Governor R. K. Colcord at a price not to exceed five hundred dollars. Said portrait to be appropriately framed, after the manner and style of the other portraits of ex-Governors now in the Governor's office, in the State Capitol, and to be uniform in size therewith. Upon delivery of such portrait so framed to the Secretary of State, the Controller of the State shall draw his warrant as the State Board of Examiners may direct for the amount of the contract price, and the State Treasurer is hereby directed to pay the same.

Portrait of
ex-Governor
R. K. Colcord

Governor
John E.
Jones
authorized.

SEC. 2. The sum of five hundred dollars, or so much thereof as may be necessary to pay the Controller's warrant drawn under the provisions of section one of this Act, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated for the purposes named in section one of this Act.

SEC. 3. This Act shall take effect from and after its passage.

CHAP. CIX.—*An Act to provide for the acceptance of lands granted by the United States to the State of Nevada.*

[Approved March 20, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The State of Nevada hereby accepts the provisions and conditions of section four of the Act of Congress, entitled "An Act to make appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and

Acceptance
of lands.

for other purposes," approved August 18, 1894, together with all grants of land to the State of Nevada, under the provisions of said Act.

CHAP. CX.—*An Act to amend section four of an Act entitled "An Act to amend an Act entitled 'An Act consolidating certain county offices in Lyon county, and regulating the compensation of the county officers in said county,' approved March 16, 1891," approved February 18, 1893.*

[Approved March 20, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of said above entitled Act as amended is hereby further amended to read as follows:

Salaries of
County Com-
missioners
of Lyon.

Section seven. The County Commissioners of Lyon county, on and after the first Monday in January, 1897, shall each receive an annual salary of three hundred dollars and mileage allowed by law; *provided*, that while any one of said County Commissioners is acting as Road Supervisor he shall receive ten cents per mile each way for the actual number of miles traveled; *and further provided*, that the amount of said mileage shall not exceed the sum of one hundred dollars per annum for each Road Supervisor.

SEC. 2. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

CHAP. CXI.—*An Act relating to holographic wills.*

[Approved March 20, 1895.]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Holographic
wills valid.

SECTION 1. Property may be disposed of and taken under holographic wills. Such wills shall be valid and have full effect for the purpose for which they are intended.

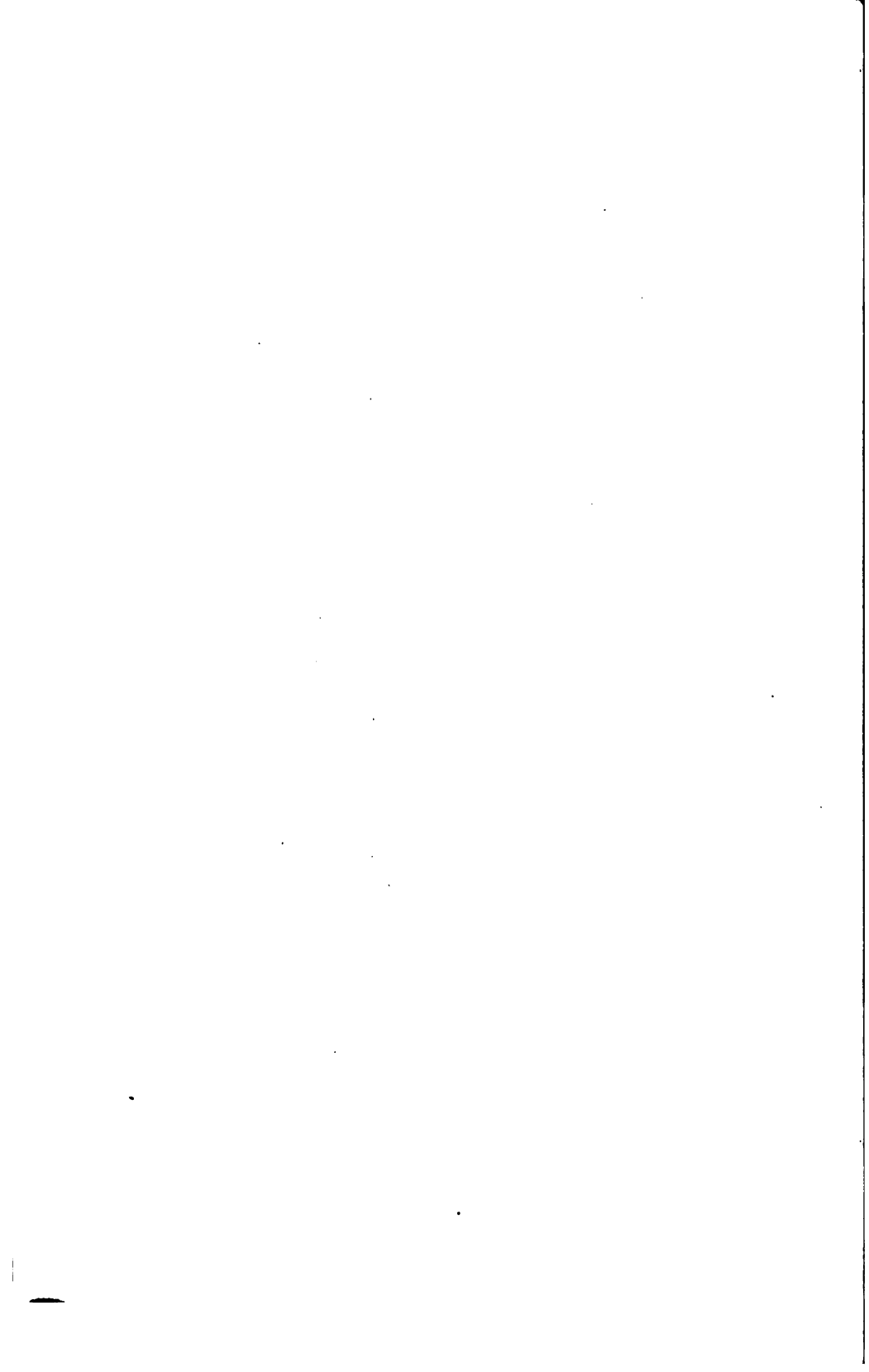
SEC. 2. An holographic will is one that is entirely written by the hand of the testator himself. It is subject to no other form, and may be made in or out of this State and need not be witnessed.

SEC. 3. An holographic will may be proved in the same manner as other private writings are proved.

RESOLUTIONS AND MEMORIALS

PASSED AT THE

Seventeenth Session of the Nevada Legislature, 1895



RESOLUTIONS AND MEMORIALS.

No. I.—*Senate Concurrent Resolution of sympathy with the Hawaiian Republic.*

[Passed January 28, 1895.]

Resolved by the Senate, the Assembly concurring, That the people of Nevada learn with profound regret of the attempt to restore a discredited and deposed Queen to power in the Hawaiian Islands, and that we extend to the young republic our warmest sympathy in her efforts to sustain good government and suppress rebellion.

People of Nevada extend sympathy to people of Hawaiian Islands.

No. II.—*Senate Concurrent Resolution, relative to the public services of Hon. John P. Jones.*

[Passed January 31, 1895.]

Resolved, by the Senate, the Assembly concurring :

WHEREAS, The critical condition of the finances of the country fully demonstrate the justice of the call of the people of Nevada, for the restoration of silver to its constitutional function, as a money metal, on terms of perfect equality with gold, and for additional reform in monetary affairs; and

Reform in monetary affairs.

WHEREAS, The pre-eminently distinguished services of the major portion of a lifetime, rendered for the cause, by the Hon. John P. Jones, brings a renewal of the hope for the realization of the full fruition of his and the people's desire for relief, and betterment of suffering humanity, in a volume of money, commensurate with our Nation's growth, and without which there can never be general prosperity; therefore be it

Distinguished services of Hon. John P. Jones.

Resolved, That notwithstanding there are differences of opinion concerning the methods by which the paramount issue of the day shall be correctly settled, the extended experience, honesty of purpose, and good judgment of our senior Senator call forth recognition of the unbounded ability and fidelity with which he has successfully presented the views and opinions of the people of this State; and be it further

Resolved, That the people of Nevada fully appreciate the transcendent intellectuality that has characterized the zealously of Senator Jones in the National Senate, and at Belgium's capital, in behalf of Nevada's interests and trust he may be spared to persevere in the good work, until victory shall be achieved.

People of Nevada appreciate services of Senator Jones.

Resolved, That his Excellency the Governor be requested to transmit a copy of these resolutions to the Hon. John P. Jones.

No. III.—*Senate Concurrent Resolution, concerning the payment of the bonded indebtedness of the Pacific railway companies to the United States, and other matters pertinent thereto.*

[Passed February 5, 1895.]

WHEREAS, The indebtedness of the Pacific railway companies to the United States is a matter of interest and importance to the whole people; is a matter that demands calm consideration, and the exercise of good business judgment on the part of the representatives of our Government; therefore be it

Demand the collection of the indebtedness of Pacific railway companies.

Resolved by the Senate, the Assembly concurring, That we demand the collection of the indebtedness of the Pacific railway companies to the United States, as it matures upon the same principle that individual demands are usually enforced, and we instruct our Senators, and request our Representative, in Congress to vote for such a bill as will dispose of this very important question to the best interests of the whole people of the State of Nevada, and the whole people of the United States and in accordance with law, and in justice to all; and be it further

Demand enforcement of Interstate Commerce Act.

Resolved, That we demand the enforcement of the Interstate Commerce Act everywhere, so that unjust discrimination may be prohibited, and we request and demand of our Senators and Representative in Congress that they use their influence and ability to consummate such purpose.

Resolved, That his Excellency the Governor of the State of Nevada cause to be transmitted a duly authenticated copy of this resolution to each of our Senators, and to our Representative in Congress.

No. IV.—*Senate Joint Resolution, acknowledging the importance of the services heretofore rendered the people of the State of Nevada by G. W. G. Ferris.*

[Passed February 8, 1895.]

Testimonial to G. W. G. Ferris as a landscape gardener.

WHEREAS, The State of Nevada in the year 1876 employed G. W. G. Ferris as a landscape gardener for the Capitol grounds located at Carson City, county of Ormsby, Nevada, at which date said grounds were but a barren sandy waste; and

WHEREAS, The present condition of said Capitol grounds testifies to the thoroughness, fidelity and artistic skill with which Mr. Ferris performed his contract with the State; and

WHEREAS, Through the skill, experience and enterprise of said G. W. G. Ferris in the successful introduction of the art of arboriculture, the encouraging of tree planting and landscape gardening has proven of vast benefit to our people; therefore be it

Resolved by the Senate, the Assembly concurring, That the thanks of this Legislature be and the same are hereby tendered to G. W. G. Ferris, in grateful acknowledgement of his faithful services, and the encouragement thereby given our people to adorn and beautify their homes; and be it further

Resolved, That these resolutions be entered upon the Journal

of the Senate and Assembly, and that his Excellency the Governor be requested to transmit a copy of the same to Mr. G. W. G. Ferris.

No. V.—*Senate Joint Resolution, relative to the construction of the Nicaragua Canal.*

[Passed February 12, 1895.]

WHEREAS, The construction of the Nicaragua Canal would be of great and infinite benefit to the people of the Pacific States, as it would afford greater protection to this coast in time of war; open new lines of trade and commerce and cheapen transportation to foreign and Atlantic seaboard markets; thereby enabling the people of this State to obtain all household, mining and other supplies at greatly reduced rates; assist in building up new enterprises in our State, strengthen and maintain those now in existence; largely increase our population; thus enhance our wealth and multiply our resources; and

Construction of canal would benefit the Pacific States.

WHEREAS, There is now pending in the Congress of the United States a bill providing for the use of the credit of the General Government in the construction of the Nicaragua Canal, and which bill prescribes, among other things, that the United States shall own absolutely seventy per cent. of the stock of the Nicaragua Maritime Canal Company, previously organized under an Act of Congress of the United States, and that the President of the United States shall appoint not less than ten of the fifteen Directors of said company, and that the United States engineers shall direct and control the work of construction of said canal, and after constructed that the United States, by reason of its ownership thereof, shall fix the tolls thereon; therefore be it

Resolved by the Senate, the Assembly concurring, That our Senators in Congress be and are hereby instructed, and our Member of the House of Representatives of the United States be requested, to earnestly support the passage of this measure.

Requested to support measure.

Resolved, That his Excellency the Governor be requested to forward to each of our Senators and our Representative in Congress a copy of these resolutions.

No. VI.—*Assembly Joint Resolution.*

[Passed February 13, 1895.]

WHEREAS, The growing importance, the rich developments of the mining camps of DeLamar and the neighboring places in the vicinity thereof, the large amount of capital invested in mills and mines, and in the working of the same, the rapidly increasing population and the close business relations with Salt Lake City and the Eastern States imperatively demand greater mail facilities than are now enjoyed or had by the citizens of these places; and

Business relations demand greater mail facilities in Lincoln county.

WHEREAS, At the last general election, November 6, 1894, more

Increase in
population
expected.

than two hundred (200) votes were polled at the said town of DeLamar, in Lincoln county, State of Nevada, and it is generally believed that in the very near future there will be more than two thousand (2,000) votes in said DeLamar; an increase of more than ten-fold is confidently expected; therefore, be it

Service on
Mail Route
No. 75,465.

Resolved by the Senate and Assembly conjointly, That our Senators be instructed and our Representative in Congress requested to wait on the honorable Postmaster-General and urge with all their power and influence that the service on the mail route from Pioche, the county seat of Lincoln county, Nevada, to DeLamar in said county and State (Mail Route No. 75,465) be increased to six (6) times a week and return.

Secretary of
State to
transmit.

Resolved, That the Secretary of State be and is hereby directed to transmit to each of our Senators and to our Representative in Congress, a certified copy, under the Great Seal of the State, of the foregoing resolution.

No. VII.—*Assembly Joint Resolution.*

[Passed February 15, 1895.]

Greater mail
facilities
demanded in
White Pine
and Lincoln
counties.

WHEREAS, The growing importance, the rich development of the adjacent mining districts and the rapidly increasing population of the counties of White Pine and Lincoln, in the State of Nevada, imperatively demand an outlet to the west, to place the said region in stage and railroad communication therewith, and at the same time give to the above named counties increased mail facilities; therefore be it

Service on
Mail Route
No. 75,167.

Resolved by the Senate and Assembly conjointly, That our Senators be instructed and our Representative requested to wait upon the honorable Postmaster-General and urge with all their power and influence that the service on Mail Route No. 75,167, from Pioche to Geyser be extended, via Shoshone, to Osceola, in White Pine county, a distance of forty-five miles, twice a week and return.

Secretary of
State
directed to
transmit.

Resolved, That the Secretary of State is hereby directed to transmit to our Senators and to our Representative in Congress a certified copy, under the Great Seal of the State, of the foregoing resolution.

No. VIII.—*Assembly Concurrent Resolution, relative to the interests of the silver producing States and Territories.*

[Passed February 19, 1895.]

Greetings to
States of
Oregon and
Washington.

Resolved by the Assembly, the Senate concurring, That, irrespective of party affiliation, we hereby send cordial greetings to the Legislatures of the States of Oregon and Washington, and ask their co-operation in all measures calculated to secure the free and unlimited coinage of silver and gold upon equal terms, and the advancement of the mining interests of the States and Territories generally, and especially in the election of no man to the United States Senate who is not the honest and earnest friend of the free coinage of gold and silver on equal terms.

Resolved, That a certified copy of these resolutions be immediately forwarded by the Secretary of State, under the Great Seal of the State of Nevada, to the presiding officers of the Senate and Assembly of each of the States before named, with the request that the same be read in open session to their respective houses.

To be read
in open
session.

No. IX.—*Senate Concurrent Resolution, relative to the carrying of the United States mails in the several States and Territories.*

[Passed February 25, 1895.]

Resolved by the Senate, the Assembly concurring, That our Senators be, and are hereby instructed, and our Representative in Congress be requested, to use their best endeavors to bring about the passage of a congressional enactment providing that no contract for the carrying of the United States mails in any State or Territory shall be let to any other than a resident of a State or Territory in which such service is performed; and be it further

Resident of
State to
carry mails.

Resolved, That his Excellency the Governor be requested to forward copies of this resolution to our representatives in Congress.

No. X.—*Senate Concurrent Resolution—Proposal to amend State Constitution.*

[Passed February 27, 1895.]

Resolved by the Senate, the Assembly concurring, That the Constitution of the State of Nevada be amended as follows:

Strike out
word "male"

Amend Article II. by striking therefrom, wherever it occurs, the word "male."

No. XI.—*Senate Joint and Concurrent Resolution, relative to a weekly mail from Pahrump valley, Nye county, Nevada, to Lida valley, Esmeralda county, Nevada.*

[Passed March 7, 1895.]

WHEREAS, Pahrump valley is one of the largest and most important districts in Nye county, Nevada; and

WHEREAS, Said Pahrump valley is situated about 130 miles southeast of Lida valley; and

Relative to
weekly mail
from
Pahrump
valley to
Lida valley.

WHEREAS, The growing business between the mining and agricultural portion of Nye county and the balance of said county, and of the State, are not sufficiently accommodated by the present postal communications; therefore be it

Resolved by the Senate, the Assembly concurring, That our Senators be instructed and our Representative be requested to urge, to the best of their ability, the passage of an Act of Congress authorizing the transportation of a weekly mail from Pahrump valley, Nye county, Nevada, to Lida valley, Esmeralda county, Nevada.

Governor to
transmit.

Resolved, That his Excellency the Governor of the State of Nevada be and he is hereby respectfully requested to forward to the Postmaster-General at Washington, D. C., and to each of our Senators, and Representative in the House of Representatives, a copy of the above resolutions.

No. XII.—*Assembly Concurrent Resolution, relative to the redemption of currency and other National obligations in silver coin.*

[Passed March 11, 1895.]

Relative to
redemption
of currency
and other
National
obligations
in silver
coin.

WHEREAS, In violation of the spirit, if not the letter of the law under which he claims authority to act, John G. Carlisle, Secretary of the Treasury of the United States, has issued one hundred millions of Government bonds and is now preparing to issue one hundred millions additional; and

WHEREAS, Neither the Republican or Democratic members of either branch of Congress have taken, or seemed disposed to take, any effective steps by resolution or otherwise to stop the illegal issue of bonds as aforesaid; and

Illegal issue
of bonds.

WHEREAS, Said illegal issue of bonds is upon the pretense of keeping up the gold reserve in the Treasury; and

WHEREAS, All of the obligations of the Government are payable in either gold or silver coin; and

Payment of
silver coin.

WHEREAS, The payment in silver coin of the whole or a large portion of the Government obligations from time to time presented to the Treasury by bankers for the purpose of withdrawing gold, and thereby compelling the issuance of bonds to maintain the gold reserve would immediately stop the drain of gold from the Treasury and make the further issue of bonds unnecessary; therefore be it

Senators and
Representative
requested
to use all
honorable
means.

Resolved by the Assembly, the Senate concurring, That our Senators be instructed and our Member of the House of Representatives be requested to use all honorable means, when parties presenting currency or other obligations to the Treasury for redemption or payment for the purpose of withdrawing gold, for export or otherwise, to redeem or pay said currency, or other obligations, or a large portion thereof, in silver coin.

Resolved, That the Governor be requested to forward a copy certified under the Great Seal of State to each of our Senators and to our Member of Congress.

No. XIII.—*Assembly Concurrent Resolution, relative to the financial system of the United States.*

[Passed March 11, 1895.]

Wild-cat
banking
schemes.

WHEREAS, Numerous wild-cat banking schemes are now pending before Congress looking to the withdrawal of all Government currency from circulation and substituting the notes of National and State banks in lieu thereof; and

WHEREAS, A vast majority of the National banks by their

selfish and corrupt influences upon National legislation menace the liberties of the people and are the chief obstacle to the remonetization of silver and a sound financial system based upon both gold and silver; therefore be it

Corrupt
influences.

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed and our Member of the House of Representatives be requested to oppose all measures favoring the establishment of banks of issue, National or State, and to use all honorable means to abolish the present National banks at as early a date as practicable, and to secure the free coinage of silver at the ratio of sixteen to one of gold, and making silver equally with gold a full legal tender for all debts, dues and demands both public and private, and the issue of a volume of currency by the National Government in addition to the gold and silver coinage sufficient to relieve the present financial distress, restore the prices of labor and the products of the farm and factory, and give employment to all the idle laboring men of the country, and to carry on the business of the country upon a healthy and sound basis.

Instructions
to Members
of Congress.

Resolved, That the Governor of this State be requested to forward a certified copy under the Great Seal of State to each of our Senators and to our Member of the lower house of Congress.

No. XIV.—*Assembly Concurrent Resolution, expressive of the appreciation of the people of Nevada of the valiant silver work inaugurated by Count von Mirback.*

[Passed March 11, 1895.]

BE IT RECITED, That Count von Mirback, German Conservative, having introduced and championed a resolution for an international monetary conference, in the German Reichstag, in an initial endeavor to restore silver to the full international functions existing prior to 1871; and

Initial
endeavor to
restore
silver.

WHEREAS, Germany was the leading influence resulting in the demonetization of silver, but now her leading statesmen, observing the ruinous folly of this adverse legislation of the past, are strenuously endeavoring to remedy the evil; and

WHEREAS, The demonetization of silver has proven to be not only a National, but world-wide calamity, and an unwise and iniquitous departure in the interest of the extremely opulent possessors of hoarded gold and adverse to the welfare of the great mass of the people, seeking a medium of exchange of their labor for the necessities and comforts of life; and

Demoneti-
zation of
silver a
world-wide
calamity.

WHEREAS, The production and manufacture of money, giving employment to millions, should be regulated solely by the limitations in which nature has so providentially ensconced gold and silver requiring the expenditure of an energy, in the course of extraction and coinage, equaling in value the circulating, purchasing powers of the silver and gold coins of the world; and

Production
of money
should be
regulated by
limitations.

WHEREAS, Since the demonetization of silver became fully

Industries
of the world
dwarfed.

operative and felt, the industries of the world have been dwarfed, and although bountiful harvests have been produced, and granaries are well filled, waiting purchasers, millions of hungry, emaciated humans, eager to work, are forced to idleness and verging on starvation, and although hundreds of manufacturing institutions are closed, not from lack of demand for goods, but because there are multitudes scantily clad and destitute, without a financial assimilating power, and although there is a demand in every direction for a requisite circulating medium, the nations of the world have refused to grant to their subjects a sufficient medium of exchange, that the products of the farm might readily be bartered for manufactured articles, and the output of the mines be exchanged, that the miner might enjoy the comforts of life, that the laborers in factories might enjoy the fruition of the sweat of their brow in a more liberal degree than now, that the farmer might till a soil unencumbered by mortgages, that the non-producer be given an opportunity to live and prosper, and that the occupants of the world, in general, be made greater consumers of the necessities and luxuries of life, thus stimulating every branch of industry; therefore be it

Recognition
of Count
von Mirback

Resolved by the Assembly, the Senate concurring, That we recognize in Count von Mirback a statesman of broad comprehension and liberal ideas, whose championship of the silver cause is instigated by a desire to correct the financial mistakes of the German Empire and of the other nations of the world, that every race, class, creed and kind may enjoy a greater degree of prosperity, or at least enjoy a life not bordering on a mere existence as exhibited by the squalid misery to be daily observed in every walk of life.

Resolved, That an international conference which would give to silver the standing held prior to 1870 would be welcomed as a blessing to all mankind.

To be
forwarded
by Governor
to Count von
Mirback.

Resolved, That a copy of these resolutions, engrossed in the German language, be forwarded by the Governor to Count von Mirback as expressive of our appreciation of his valiant work in behalf of this laudable praiseworthy cause.

No. XV.—*Senate Concurrent Resolution, relative to recent address of the American Bimetallic League.*

[Passed March 9, 1895]

The
paramount
question.

Resolved by the Senate, the Assembly concurring, That we hail with satisfaction the action of the American Bimetallic League in calling upon the people of the United States to make all other questions in the campaign of 1896 subordinate to the paramount one of the restoration of silver and the cause of monetary reform.

Resolved, That the people of Nevada fully approve and indorse the declaration of principles and address promulgated by the Bimetallic League, at its session at Washington on Tuesday,

March 5th, and will encourage and sustain the work of Nevada's friends by pledging the electoral vote of the State to Hon. Jos. C. Sibley for President, or any other true friend of the people, in preference to the candidate of any party whose interests are inseparably connected with the single standard.

Pledging
electoral
vote to
Hon. Jos. C.
Sibley for
President.

Resolved, That the Governor be requested to forward a copy of these resolutions to General A. J. Warner, Chairman of the American Bimetallic League, Washington, D. C.

Resolution
to be
forwarded
to Gen. A. J.
Warner.

No. XVI.—*Resolution relative to the adjournment of the Legislature.*

[Passed March 13, 1895.]

Resolved by the Assembly, the Senate concurring, That when this House and the Senate adjourns on Saturday night such adjournment be an adjournment *sine die* for said houses of the Seventeenth Session of the Legislature of Nevada.

Adjourns
sine die.

CERTIFICATE.

STATE OF NEVADA, }
DEPARTMENT OF STATE. } ss.

I, Eugene Howell, Secretary of State of the State of Nevada, do hereby certify that the laws, resolutions and proposed constitutional amendments published in this volume, beginning on page eleven and ending on page one hundred and twenty-three, are full, true and correct copies of the originals, passed during the Seventeenth Session of the Nevada Legislature (1895), as the same appear on file and of record in this office.



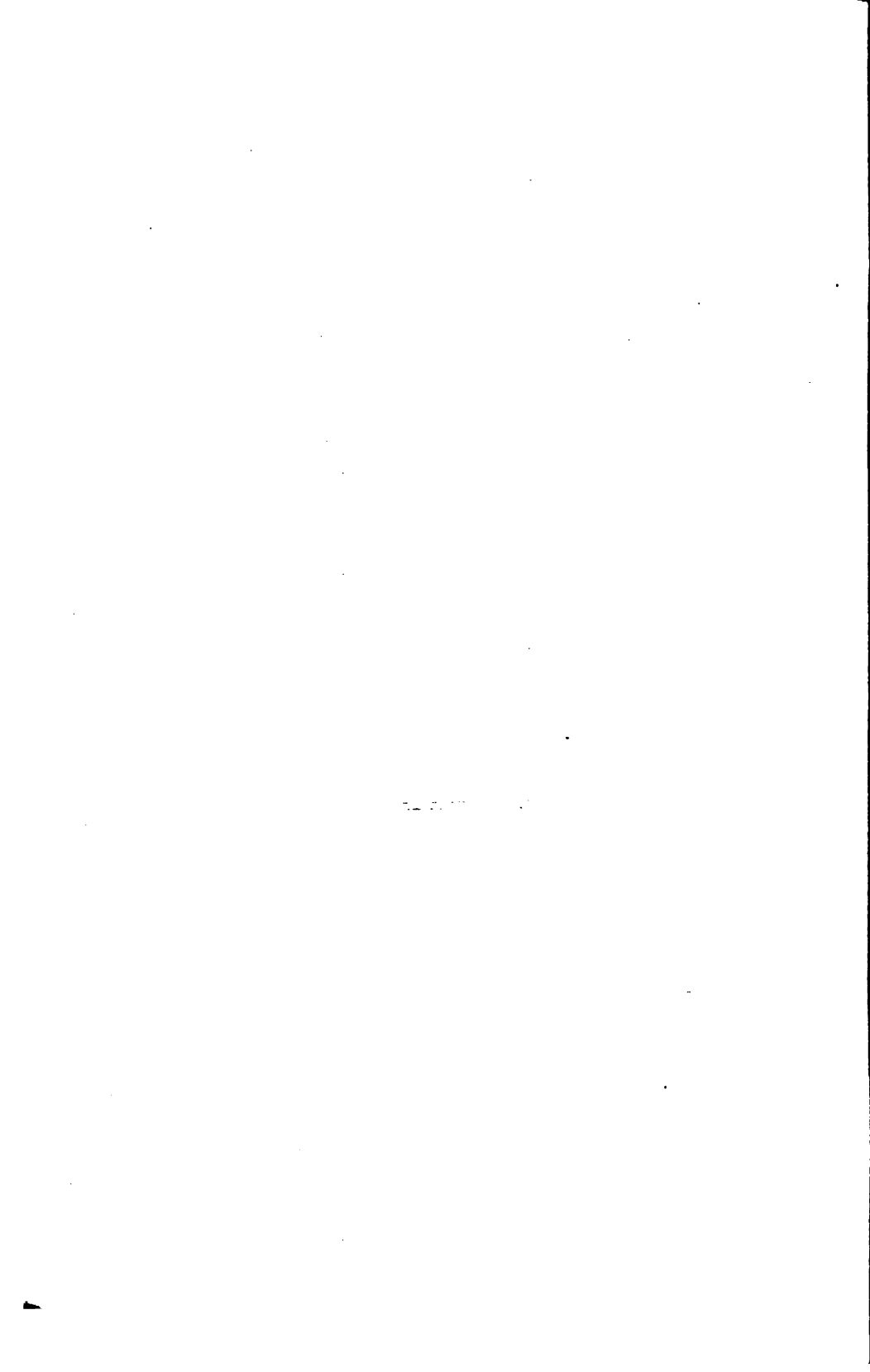
In witness whereof, I have hereunto set my hand and affixed the Great Seal of State, at my office in Carson City, Nevada, this 29th day of March, A. D. 1895.

EUGENE HOWELL,
Secretary of State.

CONSTITUTION

OF THE

UNITED STATES OF AMERICA.



Constitution of the United States of America.

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America:

ARTICLE I.

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. Powers vested in Congress.

SEC. 2—1. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature. Representatives, how chosen.

2. No person shall be a Representative who shall not have attained the age of twenty-five years and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen. Who eligible.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of ten years, and, excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five, and Georgia, three. Original apportionment of Representatives.

4. When vacancies happen in the representation from any

Vacancies, how filled.	State, the executive authority thereof shall issue writs of election to fill such vacancies.
Powers House Rep- resentatives	5. The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment.
Relating to U. S. Senators.	SEC. 3.—1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six years, and each Senator shall have one vote.
U. S. Senators classified.	2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year, and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.
Vacancies may be filled by Executive.	3. No person shall be a Senator who shall not have attained the age of thirty years and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.
Age of eligibility.	4. The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided.
Who President of Senate.	5. The Senate shall choose their other officers, and also a President <i>pro tempore</i> , in the absence of the Vice-President, or when he shall exercise the office of President of the United States.
Other offices provided.	6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.
Power of impeach- ment.	7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.
Judgment on impeach- ment.	SEC. 4.—1. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in the State by the Legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators.
Time and place of electing Senators and Repre- sentatives.	2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.
Congress to assemble, when.	SEC. 5.—1. Each house shall be judge of the elections, returns, and qualifications, of its own members, and a majority of

each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

Qualifica-
tions of,
how judged.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

Proceedings
of published
when.

4. Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

May adjourn
when.

SEC. 6.—1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to or returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

Compen-
sation of.

Privileged
from arrest,
when.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

Ineligible to
other office,
when.

SEC. 7.—1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.

Bills for
revenue to
originate,
where.

2. Every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States. If he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

How bills
may become
laws.

Executive
action
required,
when.

3. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Sec. 8. The Congress shall have power—

Powers of
Congress in
detail.

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

4. To establish an uniform rule of naturalization and uniform laws on the subject of bankruptcies throughout the United States.

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish postoffices and post roads.

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the Supreme Court.

10. To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be,

for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

SEC. 9.—1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person. Inhibitions in detail.

2. The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3. No bill of attainder, or *ex post facto* law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any State.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign State.

SEC. 10.—1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

3. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

Executive
power
vested.

SECTION 1.—1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows :

Electors,
number of
and how
appointed.

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress ; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

[*3. The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each ; which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representative, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed ; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President ; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote ; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.]

Who eligible
to the
Presidency.

4. The Congress may determine the time of choosing the electors,† and the day on which they shall give their votes ; which day shall be the same throughout the United States.

5. No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President ; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the United States.

Succession
to Presi-
dency.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President ; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

Compensation
of President.

7. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected ;

*The portion in brackets has been superseded by the 12th amendment.

†The time for choosing the electors is the first Tuesday after the first Monday in November.

and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enters on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

Presidential
oath.

SEC. 2.—1. The President shall be Commander-in-Chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

President as
Commander-
in-Chief.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

Presidential
patronage.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SEC. 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors, and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

To report to
Congress,
when.

SEC. 4. The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

How
removed
from office.

ARTICLE III.

SECTION 1. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The Judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Judicial
power
vested.

Judicial
power
limited.

SEC. 2.—1. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made under their authority; to all cases affecting ambassadors other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State, claiming lands under grants of different States; and between a State, or the citizens thereof, and foreign States, citizens or subjects.

Original
jurisdiction,
when.

2. In all cases affecting ambassadors, other public ministers and consuls and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

Trial by
jury
guaranteed.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed, but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Treason
defined.

SEC. 3.—1. Treason against the United States shall consist only in levying war against them; or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Treason
punished.

2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE IV.

Faith and
credit given
acts of
State.

SECTION 1. Full faith and credit shall be given in each State to the public acts, records and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved and the effect thereof.

SEC. 2.—1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

New States
may be
admitted,
how.

SEC. 3.—1. New States may be admitted by the Congress into this Union, but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of

States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

Powers of
Congress.

SEC. 4. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion, and, on application of the Legislature, or of the executive (when the Legislature cannot be convened), against domestic violence.

Republican
form of
government
guaranteed.

ARTICLE V.

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; *provided*, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article, and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

Constitution
may be
amended,
how.

ARTICLE VI.

1. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation.

Debts of
Confeder-
ation
assumed.

2. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the Judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Supreme
law of the
land.

3. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

Certain
officers
bound by the
Constitution

ARTICLE VII.

The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in convention by the unanimous consent of the States present, the seventeenth day of September, in the year of our

Date of
adoption.

Date of
adoption.

Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON,
President, and Deputy from Virginia.

New Hampshire—
John Langdon,
Nicholas Gilman.

Massachusetts—
Nathaniel Gorham,
Rufus King.

Connecticut—
William Samuel Johnson,
Roger Sherman,

New York—
Alexander Hamilton.

New Jersey—
William Livingston,
David Brearley,
William Patterson,
Jonathan Dayton,

Pennsylvania—
Benjamin Franklin,
Thomas Mifflin,
Robert Morris,
George Clymer,
Thomas Fitzsimmons,
Jared Ingersoll,
James Wilson,
Gouverneur Morris.

Attest :

Delaware—
George Read,
Gunning Bedford, Jr.,
John Dickinson,
Richard Bassett,
Jacob Broom.

Maryland—
James McHenry,
Dan. of St. Theo. Jenifer,
Daniel Carroll.

Virginia—
John Blair,
James Madison, Jr.

North Carolina—
William Blount,
Richard Dobbs Spaight,
Hugh Williamson.

South Carolina—
John Rutledge,
Charles C. Pinckney,
Charles Pinckney,
Pierce Butler.

Georgia—
William Few,
Abraham Baldwin.

WILLIAM JACKSON,
Secretary.

The following-named Delegates from other States were present, but did not sign the Constitution :

Massachusetts—
Elbridge Gerry,
Caleb Strong.

Connecticut—
Oliver Ellsworth.

New York—
John Lansing, Jr.,
Robert Yates.

Maryland—
John Francis Mercer,
Luther Martin.

New Jersey—
Wm. C. Houston.

Virginia—
Edmund Randolph,
George Mason,
George Wythe,
James McClurg.

North Carolina—
Alexander Martin,
Wm. R. Davie.

Georgia—
Wm. Pierce,
Wm. Houston.

Of the 63 delegates originally appointed 10 did not attend, 2 of which vacancies were filled. Of those attending, 39 signed and 16 did not.

The Constitution was adopted by the Convention on the 17th of September, 1787, appointed in pursuance of the resolution of the Congress of the Confederation of the 21st of February, 1787, and ratified by the conventions of the several States, as follows:

Delaware, December 7, 1787, unanimously.

Pennsylvania, December 12, 1787, by a vote of 46 to 23.

New Jersey, December 18, 1787, unanimously.

Georgia, January 2, 1788, unanimously.

Connecticut, January 9, 1788, by a vote of 128 to 40.

Massachusetts, February 6, 1788, by a vote of 187 to 168.

Maryland, April 28, 1788, by a vote of 63 to 12.

South Carolina, May 23, 1788, by a vote of 149 to 73.

New Hampshire, June 21, 1788, by a vote of 57 to 47.

Virginia, June 25, 1788, by a vote of 89 to 79.

New York, July 26, 1788, by a vote of 30 to 25.

North Carolina, November 21, 1789, by a vote of 193 to 75.

Rhode Island, May 29, 1790, by a majority of 2.

Vermont, January 10, 1791, by a vote of 105 to 4.

Declared ratified by resolution of the old Congress, September 13, 1788.

[The adoption of the Constitution was opposed by many who believed that the extensive powers granted by it to Congress and the executive would be dangerous to the liberties of the people. It was, however, finally adopted chiefly through the exertions and writings of James Madison, John Jay, and Alexander Hamilton. Virginia ratified the Constitution with the declaration that she was at liberty to withdraw from the Union whenever its powers were used for oppression; and New York, after Hamilton had declared that no State should ever be coerced by an armed force. There were two great parties: The Federalists, in favor of a strong, centralized government, and the Anti-Federalists, supporters of State's rights. Washington and Adams, Federalist leaders, were elected, and the government was organized with Thomas Jefferson, Secretary of State; Alex. Hamilton, Secretary of the Treasury; Henry Knox, Secretary of War, and John Jay, Chief Justice of the Supreme Court.]

AMENDMENTS TO THE CONSTITUTION.

ARTICLE I.*

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the peo-

Sectarian-
ism
prohibited.

*Twelve amendments were proposed by Congress, September 25, 1789, the last ten were adopted, which are the first ten as shown above, and were proclaimed to be in force December 15, 1791.

The rejected articles were as follows:

I. After the first enumeration required by the first article of the Constitution there shall be one Representative for every 30,000 persons, until the number shall amount to one hundred; after which the proportion shall be so regulated by Congress that there shall not be less than one hundred Representatives for every 40,000 persons, until the number of Representatives shall amount to two hundred; after which the pro-

ple peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II.

Right to
bear arms.

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

Soldiers
not to be
quartered on

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

ARTICLE IV.

Unreason-
able search
inhibited.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

Rights of
persons
charged
with crime
secured.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

Rights of
accused
persons.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

portion shall be so regulated by Congress that there shall not be less than two hundred Representatives, nor more than one Representative for every 50,000 persons.

II. No law varying the compensation for the services of the Senators and Representatives shall take effect until an election of Representatives shall have intervened.

The twelve proposed amendments were acted upon by the States as follows:

All ratified by Kentucky, Maryland, New Jersey, North Carolina, South Carolina, Vermont and Virginia—7.

All, excepting Article I., ratified by Delaware—1.

All, excepting Article II., ratified by Pennsylvania—1.

All, excepting Articles I. and II., ratified by New Hampshire, New York and Rhode Island—3.

All rejected by Connecticut, Georgia and Massachusetts—3.

ARTICLE VII.

In suits of common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

The
common law
adopted.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Excessive
bail and
punishment
inhibited.

ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

Certain
rights
construed.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

States rights
defined.

ARTICLE XI.*

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.

Judicial
powers of
the United
States
limited.

ARTICLE XII.†

The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves. They shall name in their ballots the person voted for as President and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify and transmit, sealed, to the seat of Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for President shall be President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote. A quorum for this purpose shall consist of a member or

President of
the United
States
elected, how

*Article XI. was proposed by Congress March 12, 1794, and declared in force January 8, 1798.

†Article XII. was proposed in the first session of the Eighth Congress, and declared in force September 25, 1804.

President of
the United
States
elected, how.

members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

Slavery
abolished.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.†

Citizenship
defined and
rights
secured.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the

*Article XIII. was proposed by Congress February 1, 1865, and declared in force December 18, 1865.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan, Massachusetts, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New Hampshire, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia and Wisconsin—34. Ratified conditionally by Alabama and Mississippi. Rejected by Delaware and Kentucky—2.

†Article XIV. was proposed by Congress June 13, 1866, and declared in force July 28, 1868.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Hampshire, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia and Wisconsin—33.

Of the above, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas and Virginia first rejected the amendment, but finally ratified it. New Jersey and Ohio rescinded their ratification.

Rejected by Delaware, Kentucky and Maryland—3.

No final action was taken by California—1.

whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Representa-
tion
regulated.

SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

Certain
persons
ineligible to
office.

SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

Rebellion
debt
declared
valid.

Payment of
insurrec-
tionary
debt
inhibited.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV.*

SEC. 1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

*Article XV. was proposed by Congress February 26, 1869, and declared in force March 30, 1870.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, Virginia, West Virginia, and Wisconsin—30.

Of the above, Georgia and Ohio at first rejected but finally ratified. New York rescinded her ratification.

Rejected by California, Delaware, Kentucky, Maryland, New Jersey, and Oregon—6.

No final action was taken by Tennessee—1.

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CONSTITUTION
OF THE STATE OF NEVADA.

Constitution of the State of Nevada.

PRELIMINARY ACTION.

1. WHEREAS, The Act of Congress, approved March twenty-first, A. D. eighteen hundred and sixty-four, "To enable the people of the Territory of Nevada to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States," requires that the members of the convention for framing said Constitution shall, after organization, on behalf of the people of said Territory, adopt the Constitution of the United States. Therefore, be it

Preamble.

2. *Resolved*, That the members of this convention, elected by the authority of the aforesaid enabling Act of Congress, assembled in Carson City, the Capital of said Territory of Nevada, and immediately subsequent to its organization, do adopt, on behalf of the people of said Territory, the Constitution of the United States.

United States Constitution adopted.

ORDINANCE.

3. In obedience to the requirements of an Act of the Congress of the United States, approved March twenty-first, A. D. eighteen hundred and sixty-four, to enable the people of Nevada to form a Constitution and State Government, this convention, elected and convened in obedience to said enabling Act, do ordain as follows, and this ordinance shall be irrevocable, without the consent of the United States and the people of the State of Nevada:

Ordinance made irrevocable.

First—There shall be in this State neither slavery nor involuntary servitude, otherwise than in the punishment for crimes, whereof the party shall have been duly convicted.

Slavery inhibited.

Second—That perfect toleration of religious sentiment shall be secured, and no inhabitant of said State shall ever be molested, in person or property, on account of his or her mode of religious worship.

Freedom to worship secured.

Third—That the people inhabiting said Territory do agree, and declare, that they forever disclaim all right and title to the unappropriated public lands lying within said Territory, and that the same shall be and remain at the sole and entire disposition of the United States; and that lands belonging to citizens of the United States, residing without the said State, shall never be taxed higher than the land belonging to residents thereof;

Right to public land disclaimed.

and that no taxes shall be imposed by said State on lands or property therein belonging to, or which may hereafter be purchased by, the United States.

PREAMBLE.

4. We, the people of the State of Nevada, grateful to Almighty God for our freedom, in order to secure its blessings, insure domestic tranquility, and form a more perfect government, do establish this

Constitution
proclaimed.

CONSTITUTION.

ARTICLE I.

DECLARATION OF RIGHTS.

SECTION 1. All men are, by nature, free and equal, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

Declaration
of rights
proclaimed.

SEC. 2. All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people; and they have the right to alter or reform the same whenever the public good may require it. But the paramount allegiance of every citizen is due to the Federal Government, in the exercise of all its constitutional powers, as the same have been, or may be, defined by the Supreme Court of the United States, and no power exists in the people of this or any other State of the Federal Union to dissolve their connection therewith, or perform any act tending to impair, subvert, or resist the supreme authority of the Government of the United States. The Constitution of the United States confers full power on the Federal Government to maintain and perpetuate its existence, and whensoever any portion of the States, or people thereof, attempt to secede from the Federal Union, or forcibly resist the execution of its laws, the Federal Government may, by warrant of the Constitution, employ armed force in compelling obedience to its authority.

Paramount
allegiance.

Right of
secession
denied.

SEC. 3. The right of trial by jury shall be secured to all, and remain inviolate forever; but a jury trial may be waived by the parties in all civil cases, in the manner to be prescribed by law; and in civil cases, if three-fourths of the jurors agree upon a verdict, it shall stand and have the same force and effect as a verdict by the whole jury; *provided*, the Legislature, by a law passed by a two thirds vote of all the members elected to each branch thereof, may require a unanimous verdict, notwithstanding this provision.

Trial by jury
secured.

SEC. 4. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of his religious belief; but the liberty of conscience

Freedom of
worship.

hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.

SEC. 5. The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require its suspension.

Habeas corpus suspended, when.

SEC. 6. Excessive bail shall not be required, nor excessive fines imposed; nor shall cruel or unusual punishments be inflicted; nor shall witnesses be unreasonably detained.

Bail, fines and punishments limited.

SEC. 7. All persons shall be bailable by sufficient sureties, unless for capital offenses when the proof is evident or the presumption great.

SEC. 8. No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service, and the land and naval forces in time of war, or which this State may keep, with the consent of Congress, in time of peace, and in cases of petit larceny, under the regulation of the Legislature), except on presentment or indictment of a grand jury; and in any trial in any court whatever the party accused shall be allowed to appear and defend in person and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation having been first made or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterwards made.

Trial on indictment secured.

Not to be twice put in jeopardy.

Private property for public use.

SEC. 9. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions and civil actions for libels the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted or exonerated.

Freedom of speech and press.

SEC. 10. The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives, and to petition the Legislature for redress of grievances.

Right of assembly and petition.

SEC. 11. The military shall be subordinate to the civil power. No standing army shall be maintained by this State in time of peace, and in time of war no appropriation for a standing army shall be for a longer time than two years.

Military establishment limited.

SEC. 12. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner to be prescribed by law.

Soldier quartered, how.

SEC. 13. Representation shall be apportioned according to population.

Representation.

SEC. 14. The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempt-

Debtor's
property
exempt from
forced sale.

ing a reasonable amount of property from seizure or sale for payment of any debts or liabilities hereafter contracted; and there shall be no imprisonment for debt, except in cases of fraud, libel, or slander, and no person shall be imprisoned for a militia fine in time of peace.

Certain
inhibitions.

SEC. 15. No bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, shall ever be passed.

Rights of
foreigners.

SEC. 16. Foreigners who are, or may hereafter become, *bona fide* residents of this State, shall enjoy the same rights in respect to the possession, enjoyment and inheritance of property as native-born citizens.

Slavery
prohibited.

SEC. 17. Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State.

Search and
seizure
regulated.

SEC. 18. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place or places to be searched, and the person or persons, and thing or things to be seized.

Treason
defined.

SEC. 19. Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. And no person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

SEC. 20. This enumeration of rights shall not be construed to impair or deny others retained by the people.

ARTICLE II.

RIGHT OF SUFFRAGE.

How and by
whom the
franchise
may be
enjoyed.

SECTION 1. Every white male citizen of the United States (not laboring under the disabilities named in this Constitution) of the age of twenty-one years and upwards, who shall have actually, and not constructively, resided in the State six months, and in the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now are or hereafter may be elected by the people, and upon all questions submitted to the electors at such election; *provided*, that no person who has been or may be convicted of treason or felony in any State or Territory of the United States, unless restored to civil rights, and no person who, after arriving at the age of eighteen years, shall have voluntarily borne arms against the United States, or held civil or military office under the so-called Confederate States, or either of them, unless an amnesty be granted to such by the Federal Government, and no idiot or insane person, shall be entitled to the privilege of an elector.

Residence
defined.

SEC. 2. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of the United States or of the high seas; nor while a student of any seminary of learning; nor while kept at any

almshouse or other asylum, at public expense; nor while confined at any public prison.

SEC. 3. The right of suffrage shall be enjoyed by all persons, otherwise entitled to the same, who may be in the military or naval service of the United States; *provided*, the votes so cast shall be made to apply to the county and township of which said voters were *bona fide* residents at the time of their enlistment; *and provided further*, that the payment of a poll tax or a registration of such voters shall not be required as a condition to the right of voting. Provision shall be made by law regulating the manner of voting, holding elections, and making returns of such elections, wherein other provisions are not contained in this Constitution.

Soldiers and sailors may vote.

SEC. 4. During the day on which any general election shall be held in this State, no qualified elector shall be arrested by virtue of any civil process.

Civil process suspended.

SEC. 5. All elections by the people shall be by ballot, and all elections by the Legislature, or by either branch thereof, shall be "*viva voce*."

Elections by ballot.

SEC. 6. Provision shall be made by law for the registration of the names of the electors within the counties of which they may be residents, and for the ascertainment, by proper proofs, of the persons who shall be entitled to the right of suffrage, as hereby established, to preserve the purity of elections, and to regulate the manner of holding and making returns of the same; and the Legislature shall have power to prescribe by law any other or further rules or oaths as may be deemed necessary as a test of electoral qualification.

Electors registered.

SEC. 7. The Legislature shall provide by law for the payment of an annual poll tax, of not less than two nor exceeding four dollars, from each male person resident in the State between the ages of twenty-one and sixty years (uncivilized American Indians excepted), one-half to be applied for State and one-half for county purposes; and the Legislature may, in its discretion, make such payment a condition to the right of voting.

Poll tax provided for

SEC. 8. All persons qualified by law to vote for representatives to the General Assembly of the Territory of Nevada, on the twenty-first day of March, A. D. eighteen hundred and sixty-four, and all other persons who may be lawful voters in said Territory on the first Wednesday of September next following, shall be entitled to vote directly upon the question of adopting or rejecting this Constitution.

Who may vote on Constitution

ARTICLE III.

DISTRIBUTION OF POWERS.

SECTION 1. The powers of the Government of the State of Nevada shall be divided into three separate departments—the Legislative, the Executive and the Judicial; and no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted.

Powers of government.

ARTICLE IV.

LEGISLATIVE DEPARTMENT.

Legislative authority vested. SECTION 1. The legislative authority of this State shall be vested in a Senate and Assembly, which shall be designated "The Legislature of the State of Nevada," and the sessions of such Legislature shall be held at the seat of Government of the State.

To convene, when. SEC. 2. The sessions of the Legislature shall be biennial, and shall commence on the first Monday of January next ensuing the election of members of the Assembly, unless the Governor of the State shall, in the *interim*, convene the Legislature by proclamation.

Assembly-men chosen. SEC. 3. The members of the Assembly shall be chosen biennially by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November, and their term of office shall be two years from the day next after their election.

Senators chosen. SEC. 4. Senators shall be chosen at the same time and places as members of the Assembly, by the qualified electors of their respective districts, and their term of office shall be four years from the day next after their election.

Who eligible SEC. 5. Senators and members of the Assembly shall be duly qualified electors in the respective counties and districts which they represent, and the number of Senators shall not be less than one-third nor more than one-half of that of the members of the Assembly.

Powers of each. SEC. 6. Each house shall judge of the qualifications, elections, and returns of its own members, choose its own officers (except the President of the Senate), determine the rules of its proceedings, and may punish its members for disorderly conduct, and with the concurrence of two-thirds of all the members elected, expel a member.

SEC. 7. Either house, during the session, may punish, by imprisonment, any person, not a member, who shall have been guilty of disrespect to the house by disorderly or contemptuous behavior in its presence; but such imprisonment shall not extend beyond the final adjournment of the session.

Members not to be beneficiaries when. SEC. 8. No Senator or member of Assembly shall, during the term for which he shall have been elected, nor for one year thereafter, be appointed to any civil office of profit under this State which shall have been created, or the emoluments of which shall have been increased, during such term, except such office as may be filled by elections by the people.

Persons not eligible, when. SEC. 9. No person holding any lucrative office under the Government of the United States, or any other power, shall be eligible to any civil office of profit under this State; *provided*, that Postmasters whose compensation does not exceed five hundred dollars per annum, or Commissioners of Deeds, shall not be deemed as holding a lucrative office.

SEC. 10. Any person who shall be convicted of the embezzlement or defalcation of the public funds of this State, or who may be convicted of having given or offered a bribe to procure

his election or appointment to office, or received a bribe to aid in the procurement of office for any other person, shall be disqualified from holding any office of profit or trust in this State. And the Legislature shall, as soon as practicable, provide by law for the punishment of such defalcation, bribery, or embezzlement as a felony.

Disqualified
from office
holding.

SEC. 11. Members of the Legislature shall be privileged from arrest on civil process during the session of the Legislature, and for fifteen days next before the commencement of each session.

SEC. 12. When vacancies occur in either house, the Governor shall issue writs of election to fill such vacancy.

SEC. 13. A majority of all the members elected to each house shall constitute a quorum to transact business, but a smaller number may adjourn, from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

Rules
relating to
legislative
procedure.

SEC. 14. Each house shall keep a Journal of its own proceedings, which shall be published, and the yeas and nays of the members of either house, on any question, shall, at the desire of any three members present, be entered on the Journal.

SEC. 15. The doors of each house shall be kept open during its session, except the Senate while sitting in executive session, and neither shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be holding their sessions.

SEC. 16. Any bill may originate in either house of the Legislature, and all bills passed by one may be amended in the other.

SEC. 17. Each law enacted by the Legislature shall embrace but one subject, and matter properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the Act as revised, or section as amended, shall be re-enacted and published at length.

SEC. 18. Every bill shall be read by sections on three several days in each house, unless, in case of emergency, two-thirds of the house where such bill may be pending shall deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed with, and the vote on the final passage of every bill or joint resolution shall be taken by yeas and nays, to be entered on the Journals of each house; and a majority of all the members elected to each house shall be necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed shall be signed by the presiding officers of the respective houses and by the Secretary of the Senate and Clerk of the Assembly.

SEC. 19. No money shall be drawn from the treasury but in consequence of appropriations made by law. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at every regular session of the Legislature.

Public
moneys, how
disbursed
and
accounted
for.

SEC. 20. The Legislature shall not pass local or special laws in any of the following enumerated cases—that is to say:

Legislative
powers
restricted.

Regulating the jurisdiction and duties of Justices of the Peace and of Constables; for the punishment of crimes and misdemeanors; regulating the practice of courts of justice; providing for changing the venue in civil and criminal cases; granting divorces; changing the names of persons; vacating roads, town plots, streets, alleys and public squares; summoning and impaneling grand and petit juries, and providing for their compensation; regulating county and township business; regulating the election of county and township officers; for the assessment and collection of taxes for State, county and township purposes; providing for opening and conducting elections of State, county and township officers, and designating the places of voting; providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities.

Laws
general and
uniform.

SEC. 21. In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State.

Suit may be
brought
against the
State.

SEC. 22. Provision may be made by general law for bringing suit against the State, as to all liabilities originating after the adoption of this Constitution.

SEC. 23. The enacting clause of every law shall be as follows: "The People of the State of Nevada, represented in Senate and Assembly, do enact as follows," and no law shall be enacted except by bill.

Lottery
inhibited.

SEC. 24. No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

County
government.

SEC. 25. The Legislature shall establish a system of county and township government, which shall be uniform throughout the State.

SEC. 26. The Legislature shall provide by law for the election of a Board of County Commissioners in each county, and such County Commissioners shall, jointly and individually, perform such duties as may be prescribed by law.

Who may be
excused
from juries.

SEC. 27. Laws shall be made to exclude from serving on juries all persons not qualified electors of this State, and all persons who shall have been convicted of bribery, perjury, forgery, larceny, or other high crimes, unless restored to civil rights; and laws shall be passed regulating elections, and prohibiting under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice.

Compensa-
tion fixed
by law.

SEC. 28. No money shall be drawn from the State Treasury as salary or compensation to any officer or employe of the Legislature, or either branch thereof, except in cases where such salary or compensation has been fixed by a law in force prior to the election or appointment of such officer or employe; and the salary or compensation so fixed shall neither be increased nor diminished so as to apply to any officer or employe of the Legislature, or either branch thereof at such session; *provided*, that this restriction shall not apply to the first session of the Legislature.

SEC. 29. The first regular session of the Legislature under this Constitution may extend to ninety days, but no subsequent

regular session shall exceed sixty days, nor any special session convened by the Governor exceed twenty days.

Legislative session limited.

SEC. 30. A homestead as provided by law, shall be exempt from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife when that relation exists; but no property shall be exempt from sale for taxes or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon; *provided*, the provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife, and laws shall be enacted providing for the recording of such homestead within the county in which the same shall be situated.

Homestead exempt from forced sale.

SEC. 31. All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise or descent, shall be her separate property; and laws shall be passed, more clearly defining the rights of the wife in relation, as well to her separate property as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

Separate property of wife.

SEC. 32. The Legislature shall provide for the election by the people of a Clerk of the Supreme Court, County Clerks, County Recorders who shall be *ex officio* County Auditors, District Attorneys, Sheriffs, County Surveyors, Public Administrators and other necessary officers, and fix by law their duties and compensation. County Clerks shall be *ex officio* Clerks of the courts of record and of the Boards of County Commissioners in and for their respective counties.

Power of Legislature over county officers.

SEC. 33. The members of the Legislature shall receive for their services a compensation to be fixed by law, and paid out of the public treasury; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected; *provided*, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery, not exceeding the sum of sixty dollars for any general or special session, to each member; and *furthermore provided*, that the Speaker of the Assembly, and Lieutenant-Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers, receive an additional allowance of two dollars per diem.

Compensation of Legislators.

SEC. 34. In all elections for United States Senators, such elections shall be held in joint convention of both houses of the Legislature. It shall be the duty of the Legislature which convenes next preceding the expiration of the term of such Senator, to elect his successor. If a vacancy in such Senatorial representation from any cause occur, it shall be the duty of the Legislature then in session, or at the succeeding session thereof, to supply such vacancy. If the Legislature shall, at any time, as herein provided, fail to unite in a joint convention within twenty days after the commencement of the session of the

Election of United States Senators.

Legislature for the election [of] such Senator, it shall be the duty of the Governor, by proclamation, to convene the two houses of the Legislature in joint convention within not less than five days, nor exceeding ten days, from the publication of his proclamation, and the joint convention when so assembled shall proceed to elect the Senator as herein provided.

Executive
action on
bills.

SEC. 35. Every bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, which house shall cause such objections to be entered upon its Journal, and proceed to reconsider it; if, after such reconsideration, it again pass both houses, by yeas and nays, by a vote of two-thirds of the members elected to each house, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within five days after it shall have been presented to him (Sunday excepted), exclusive of the day on which he received it, the same shall be a law in like manner as if he had signed it, unless the Legislature, by its final adjournment, prevent such return, in which case it shall be a law, unless the Governor, within ten days next after the adjournment (Sundays excepted), shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next session, in like manner as if it had been returned by the Governor; and if the same shall receive the vote of two-thirds of the members elected to each branch of the Legislature, upon a vote taken by yeas and nays, to be entered upon the Journals of each house, it shall become a law.

May become
law after
veto.

ARTICLE V.

EXECUTIVE DEPARTMENT.

Executive
power
vested.

SECTION 1. The supreme executive power of this State shall be vested in a Chief Magistrate, who shall be Governor of the State of Nevada.

Governor
elected.

SEC. 2. The Governor shall be elected by the qualified electors at the time and places of voting for members of the Legislature, and shall hold his office for four years from the time of his installation, and until his successor shall be qualified.

Who eligible
to office of
Governor.

SEC. 3. No person shall be eligible to the office of Governor who is not a qualified elector, and who, at the time of such election, has not attained the age of twenty-five years, and who, except at the first election under this Constitution, shall not have been a citizen resident of this State for two years next preceding the election.

Disposition
of election
returns.

SEC. 4. The returns of every election for Governor, and other State officers voted for at the general election, shall be sealed up and transmitted to the seat of government, directed to the Secretary of State; and on the third Monday of December succeeding such election, the Chief Justice of the Supreme Court, and the Associate Justices, or a majority thereof, shall meet at the office of the Secretary of State and open and canvass the election returns for Governor and all other State officers, and

forthwith declare the result and publish the names of the persons elected. The persons having the highest number of votes for the respective offices shall be declared elected, but in case any two or more have an equal and the highest number of votes for the same office, the Legislature shall, by joint vote of both houses, elect one of said persons to fill said office.

SEC. 5. The Governor shall be Commander-in-Chief of the military forces of this State, except when they shall be called into the service of the United States. Military authority of Governor.

SEC. 6. He shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices. Duties of Governor.

SEC. 7. He shall see that the laws are faithfully executed.

SEC. 8. When any office shall, from any cause, become vacant, and no mode is provided by the Constitution and laws for filling such vacancy, the Governor shall have the power to fill such vacancy by granting a commission which shall expire at the next election and qualification of the person elected to such office. May fill vacancies.

SEC. 9. The Governor may, on extraordinary occasions, convene the Legislature by proclamation, and shall state to both houses, when organized, the purpose for which they have been convened, and the Legislature shall transact no legislative business except that for which they were specially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in session. May convene Legislature.

SEC. 10. He shall communicate by message to the Legislature at every regular session the condition of the State, and recommend such measures as he may deem expedient. Message to Legislature.

SEC. 11. In case of a disagreement between the two houses, with respect to the time of adjournment, the Governor shall have power to adjourn the Legislature to such time as he may think proper; *provided*, it be not beyond the time fixed for the meeting of the next Legislature. May adjourn Legislature.

SEC. 12. No person shall while holding any office under the United States Government hold the office of Governor, except as herein expressly provided. Certain persons ineligible.

SEC. 13. The Governor shall have the power to suspend the collection of fines and forfeitures, and grant reprieves for a period not exceeding sixty days dating from the time of conviction, for all offenses, except in cases of impeachment. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. And if the Legislature should fail or refuse to make final disposition of such case, the sentence shall be enforced at such time and place as the Governor by his order may direct. The Governor shall communicate to the Legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve, pardon or commutation granted, stating the name

of the convict, the crime of which he was convicted, the sentence, its date, and the date of the remission, commutation, pardon or reprieve.

Personnel of Board of Pardons. SEC. 14. The Governor, Justices of the Supreme Court and Attorney-General, or a major part of them, of whom the Governor shall be one, may, upon such conditions and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments and grant pardons, after convictions, in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for pardons.

Seal of State. SEC. 15. There shall be a seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called "The Great Seal of the State of Nevada."

Grants in name of State. SEC. 16. All grants and commissions shall be in the name and by the authority of the State of Nevada, sealed with the Great Seal of the State, signed by the Governor and countersigned by the Secretary of State.

Election and Duties of Lieutenant-Governor. SEC. 17. A Lieutenant-Governor shall be elected at the same time and places, and in the same manner as the Governor, and his term of office and his eligibility shall also be the same. He shall be President of the Senate, but shall only have a casting vote therein. If, during a vacancy of the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of the office, or be absent from the State, the President *pro tempore* of the Senate shall act as Governor until the vacancy be filled or the disability cease.

Lieutenant-Governor to succeed Governor. SEC. 18. In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the duties of the said office, resignation or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, and at the head of any military force thereof, he shall continue Commander-in-Chief of the military forces of the State.

State officers terms of office. SEC. 19. A Secretary of State, a Treasurer, a Controller, a Surveyor-General, and an Attorney-General, shall be elected at the same time and places, and in the same manner as the Governor. The term of office of each shall be the same as is prescribed for the Governor. Any elector shall be eligible to either of said offices.

Duties of Secretary of State. SEC. 20. The Secretary of State shall keep a true record of the official acts of the legislative and executive departments of the Government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature.

SEC. 21. The Governor, Secretary of State and Attorney-General shall constitute a Board of State Prison Commissioners, which Board shall have such supervision of all matters connected with the State Prison as may be provided by law. They shall also constitute a Board of Examiners, with power to

examine all claims against the State (except salaries or compensation of officers fixed by law), and perform such other duties as may be prescribed by law, and no claim against the State (except salaries or compensation of officers fixed by law) shall be passed upon by the Legislature without having been considered and acted upon by said Board of Examiners.

Personnel
of Board of
State Prison
Commissioners and
Board of
Examiners.

SEC. 22. The Secretary of State, State Treasurer, State Controller, Surveyor-General, Attorney-General and Superintendent of Public Instruction shall perform such other duties as may be prescribed by law.

ARTICLE VI.

JUDICIAL DEPARTMENT.

SECTION 1. The judicial power of this State shall be vested in a Supreme Court, District Courts and in Justices of the Peace. The Legislature may also establish courts for municipal purposes only, in incorporated cities and towns.

Judicial
power
vested.

SEC. 2. The Supreme Court shall consist of a Chief Justice and two Associate Justices, a majority of whom shall constitute a quorum; *provided*, that the Legislature, by a majority of all the members elected to each branch thereof, may provide for the election of two additional Associate Justices, and if so increased three shall constitute a quorum. The concurrence of a majority of the whole Court shall be necessary to render a decision.

Supreme
Court, how
constituted.

SEC. 3. The Justices of the Supreme Court shall be elected by the qualified electors of the State at the general election, and shall hold office for the term of six years from and including the first Monday of January next succeeding their election; *provided*, that there shall be elected, at the first election under this Constitution, three Justices of the Supreme Court, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and continue in office thereafter two, four and six years, respectively, from and including the first Monday of January next succeeding their election. They shall meet as soon as practicable after their election and qualification, and at their first meeting shall determine, by lot, the term of office each shall fill, and the Justice drawing the shortest term shall be Chief Justice, and after the expiration of his term, the one having the next shortest term shall be Chief Justice, after which the senior Justice in commission shall be Chief Justice, and in case the commission of any two or more of said Justices shall bear the same date, they shall determine by lot who shall be Chief Justice.

Election of
Justices of.

SEC. 4. The Supreme Court shall have appellate jurisdiction in all cases in equity; also, in all cases at law in which is involved the title or right of possession to, or the possession of, real estate or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, or in which the demand (exclusive of interest) or the value of the property in controversy exceeds three hundred dollars; also, in all other civil cases not included in the general subdivisions of law and equity, and

Rank of
Justices.

Jurisdiction
and powers
of.

also on questions of law alone in all criminal cases in which the offense charged amounts to felony. The Court shall also have power to issue writs of mandamus, certiorari, prohibition, quo warranto and habeas corpus, and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the Justices shall have power to issue writs of habeas corpus to any part of the State upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable before himself or the Supreme Court, or before any District Court in the State, or before any Judge of said Courts.

State
divided into
judicial
districts.

Manner of
electing
Judges.

SEC. 5. The State is hereby divided into nine judicial districts, of which the county of Storey shall constitute the first; the county of Ormsby the second; the county of Lyon the third; the county of Washoe the fourth; the counties of Nye and Churchill the fifth; the county of Humboldt the sixth; the county of Lander the seventh; the county of Douglas the eighth, and the county of Esmeralda the ninth. The county of Roop shall be attached to the county of Washoe for judicial purposes, until otherwise provided by law. The Legislature may, however, provide by law for an alteration in the boundaries or divisions of the districts herein prescribed, and also for increasing or diminishing the number of the judicial districts and Judges therein. But no such change shall take effect, except in case of a vacancy, or the expiration of the term of an incumbent of the office. At the first general election under this Constitution, there shall be elected in each of the respective districts (except as in this section hereafter otherwise provided) one District Judge, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and until the first Monday of January, in the year eighteen hundred and sixty-seven. After the said first election, there shall be elected at the general election which immediately precedes the expiration of the term of his predecessor, one District Judge in each of the respective judicial districts (except in the first district, as in this section hereinafter provided). The District Judges shall be elected by the qualified electors of their respective districts, and shall hold office for the term of four years (excepting those elected at said first election) from and including the first Monday of January next succeeding their election and qualification; *provided*, that the First Judicial District shall be entitled to, and shall have, three District Judges, who shall possess coextensive and concurrent jurisdiction, and who shall be elected at the same times, in the same manner, and shall hold office for the like terms as herein prescribed in relation to the Judges in other judicial districts. Any one of said Judges may preside on the empaneling of grand juries, and the presentment and trial on indictments, under such rules and regulations as may be prescribed by law.

Jurisdiction
of District
Courts.

SEC. 6. The District Courts in the several judicial districts of this State shall have original jurisdiction in all cases in equity; also, in all cases at law which involve the title or the right of possession to, or the possession of, real property or mining claims, or the legality of any tax, impost, assessment, toll or

municipal fine, and in all other cases in which the demand (exclusive of interest) or the value of the property in controversy exceeds three hundred dollars; also, in all cases relating to the estates of deceased persons, and the persons and estates of minors and insane persons, and of the action of forcible entry and unlawful detainer; and also in all criminal cases not otherwise provided for by law; they shall also have final appellate jurisdiction in cases arising in Justices Courts, and such other inferior tribunals as may be established by law. The District Courts and the Judges thereof shall have power to issue writs of mandamus, injunction, quo warranto, certiorari, and all other writs proper and necessary to the complete exercise of their jurisdiction; and also shall have power to issue writs of habeas corpus on petition by, or on behalf of, any person held in actual custody in their respective districts.

SEC. 7. The times of holding the Supreme Court and District Courts shall be as fixed by law. The terms of the Supreme Court shall be held at the seat of government; and the terms of the District Courts shall be held at the county seats of their respective counties; *provided*, that in case any county shall be hereafter divided into two or more districts, the Legislature may by law designate the places of holding courts in any such districts.

SEC. 8. The Legislature shall determine the number of Justices of the Peace to be elected in each city and township of the State, and shall fix, by law, their powers, duties and responsibilities; *provided*, that such Justices Courts shall not have jurisdiction of the following cases, viz: First—Of cases in which the matter in dispute is a money demand or personal property, and the amount of the demand (exclusive of interest) or the value of the property exceeds three hundred dollars. Second—Of cases wherein the title to real estate or mining claims, or questions of boundaries to land, is or may be involved; or of cases that in any manner shall conflict with the jurisdiction of the several courts of record in this State; *and provided further*, that Justices Courts shall have such criminal jurisdiction as may be prescribed by law; and the Legislature may confer upon said courts jurisdiction concurrent with the District Courts, of actions to enforce mechanics' liens wherein the amount (exclusive of interest) does not exceed three hundred dollars; and also of actions for the possession of lands and tenements, where the relation of landlord and tenant exists, or when such possession has been unlawfully or fraudulently obtained or withheld. The Legislature shall also prescribe by law the manner and determine the cases in which appeals may be taken from Justices and other courts. The Supreme Court, the District Courts, and such other courts as the Legislature shall designate, shall be courts of record.

Jurisdiction
of Justices
Courts.

SEC. 9. Provision shall be made by law prescribing the powers, duties and responsibilities of any municipal court that may be established in pursuance of section one of this article; and also fixing by law the jurisdiction of said court, so as not to conflict with that of the several courts of record.

Possible
municipal
courts.

SEC. 10. No judicial officer, except Justices of the Peace and City Recorders, shall receive to his own use any fees or perquisites of office.

Eligibility
to office
limited.

SEC. 11. The Justices of the Supreme Court and the District Judges shall be ineligible to any office, other than a judicial office, during the term for which they shall have been elected; and all elections or appointments of any such Judges by the people, Legislature or otherwise, during said period, to any office other than judicial, shall be void.

Matters of
practice.

SEC. 12. Judges shall not charge juries in respect to matters of fact, but may state the testimony and declare the law.

SEC. 13. The style of all process shall be "The State of Nevada," and all prosecutions shall be conducted in the name and by the authority of the same.

SEC. 14. There shall be but one form of civil action, and law and equity may be administered in the same action.

Compensation of
judicial
officers.

SEC. 15. The Justices of the Supreme Court and District Judges shall each receive quarterly for their services a compensation to be fixed by law, and which shall not be increased or diminished during the term for which they shall have been elected, unless in case a vacancy occurs, in which case the successor of the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of money to pay such compensation; *provided*, that District Judges shall be paid out of the county treasuries of the counties composing their respective districts.

Relating to
court fees.

SEC. 16. The Legislature at its first session, and from time to time thereafter, shall provide by law that upon the institution of each civil action and other proceedings, and also upon the perfecting of an appeal in any civil action or proceeding in the several courts of record in this State, a special court fee or tax shall be advanced to the clerks of said courts, respectively, by the party or parties bringing such action or proceeding, or taking such appeal; and the money so paid in shall be accounted for by such clerks, and applied towards the payment of the compensation of the Judges of said courts, as shall be directed by law.

Leave of
absence of
judicial
officers
limited.

SEC. 17. The Legislature shall have no power to grant leave of absence to a judicial officer, and any such officer who shall absent himself from the State for more than ninety consecutive days, shall be deemed to have vacated his office.

SEC. 18. No judicial officer shall be superseded, nor shall the organization of the several courts of the Territory of Nevada be changed, until the election and qualification of the several officers provided for in this article.

ARTICLE VII.

IMPEACHMENT AND REMOVAL FROM OFFICE.

SECTION 1. The Assembly shall have the sole power of impeaching. The concurrence of a majority of all the members

elected shall be necessary to an impeachment. All impeachments shall be tried by the Senate, and, when sitting for that purpose, the Senators shall be upon oath or affirmation to do justice according to law and evidence. The Chief Justice of the Supreme Court shall preside over the Senate while sitting to try the Governor or Lieutenant-Governor upon impeachment. No person shall be convicted without the concurrence of two-thirds of the Senators elected.

Powers of
impeach-
ment
conferred.

SEC. 2. The Governor, and other State and judicial officers, except Justices of the Peace, shall be liable to impeachment for misdemeanor or malfeasance in office; but judgment in such case shall not extend further than removal from office, and disqualification to hold any office of honor, profit or trust, under this State. The party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment, and punishment according to law.

Who may be
impeached.

SEC. 3. For any reasonable cause, to be entered on the Journals of each house, which may or may not be sufficient grounds for impeachment, the Chief Justice and Associate Justices of the Supreme Court and Judges of the District Courts shall be removed from office on the vote of two-thirds of the members elected to each branch of the Legislature, and the Justice or Judge complained of shall be served with a copy of the complaint against him, and shall have an opportunity of being heard in person, or by counsel, in his defense; *provided*, that no member of either branch of the Legislature shall be eligible to fill the vacancy occasioned by such removal.

Judicial
officers, how
impeached.

SEC. 4. Provision shall be made by law for the removal from office of any civil officer other than those in this article previously specified, for malfeasance or nonfeasance in the performance of his duties.

ARTICLE VIII.

MUNICIPAL AND OTHER CORPORATIONS.

SECTION 1. The Legislature shall pass no special Act in any matter relating to corporate powers except for municipal purposes; but corporations may be formed under general laws, and all such laws may, from time to time, be altered or repealed.

SEC. 2. All real property and possessory rights to the same, as well as personal property in this State, belonging to corporations now existing or hereafter created, shall be subject to taxation the same as property of individuals; *provided*, that the property of corporations formed for municipal, charitable, religious, or educational purposes may be exempted by law.

Property of
corporations
taxed.

SEC. 3. Dues from corporations shall be secured by such means as may be prescribed by law; *provided*, that corporators in corporations formed under the laws of this State shall not be individually liable for the debts or liabilities of such corporation.

SEC. 4. Corporations created by or under the laws of the Territory of Nevada shall be subject to the provisions of such laws until the Legislature shall pass laws regulating the same, in pursuance of the provisions of this Constitution.

SEC. 5. Corporations may sue and be sued in all courts, in like manner as individuals.

Certain
paper money
interdicted.

SEC. 6. No bank notes or paper of any kind shall ever be permitted to circulate as money in this State, except the federal currency and the notes of banks authorized under the laws of Congress.

SEC. 7. No right of way shall be appropriated to the use of any corporation until full compensation be first made or secured therefor.

Credit of
cities and
towns
limited.

SEC. 8. The Legislature shall provide for the organization of cities and towns by general laws, and restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, except for procuring supplies of water.

State
forbidden to
speculate.

SEC. 9. The State shall not donate or loan money or its credit, subscribe to or be interested in the stock of any company, association, or corporation, except corporations formed for educational or charitable purposes.

Limitation
of county
indebted-
ness.

SEC. 10. No county, city, town, or other municipal corporation shall become a stockholder in any joint stock company, corporation or association whatever, or loan its credit in aid of any such company, corporation, or association, except railroad corporations, companies, or associations.

ARTICLE IX.

FINANCE AND STATE DEBT.

SECTION 1. The fiscal year shall commence on the first day of January in each year.

SEC. 2. The Legislature shall provide by law for an annual tax sufficient to defray the estimated expenses of the State for each fiscal year; and whenever the expenses of any year shall exceed the income, the Legislature shall provide for levying a tax sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of such ensuing year or two years.

State to
borrow
limited.

SEC. 3. For the purpose of enabling the State to transact its business upon a cash basis from its organization, the State may contract public debts; but such debts shall never, in the aggregate, exclusive of interest, exceed the sum of three hundred thousand dollars, except for the purpose of defraying extraordinary expenses, as hereinafter mentioned. Every such debt shall be authorized by law for some purpose or purposes, to be distinctly specified therein; and every such law shall provide for levying an annual tax sufficient to pay the interest semi-annually, and the principal within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by, or on behalf of, the State, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect, except in cases of money borrowed to

Limit raised
when.

repel invasion, suppress insurrection, defend the State in time of war, or, if hostilities be threatened, provide for the public defense.

SEC. 4. The State shall never assume the debts of any county, town, city, or other corporation whatever, unless such debts have been created to repel invasion, suppress insurrection, or to provide for the public defense.

ARTICLE X.

TAXATION.

SECTION 1. The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory, excepting mines and mining claims, the proceeds of which alone shall be taxed, and also excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious, or charitable purposes. Taxation.

ARTICLE XI.

EDUCATION.

SECTION 1. The Legislature shall encourage by all suitable means the promotion of intellectual, literary, scientific, mining, mechanical, agricultural, and moral improvements, and also provide for the election by the people, at the general election, of a Superintendent of Public Instruction, whose term of office shall be two years from the first Monday of January, A. D. eighteen hundred and sixty-five, and until the election and the qualification of his successor, and whose duties shall be prescribed by law. Education encouraged.

SEC. 2. The Legislature shall provide for a uniform system of common schools, by which a school shall be established and maintained in each school district at least six months in every year; and any school district neglecting to establish and maintain such a school, or which shall allow instructions of a sectarian character therein, may be deprived of its proportion of the interest of the Public School Fund during such neglect or infraction; and the Legislature may pass such laws as will tend to secure a general attendance of the children in each school district upon said public schools. Public schools fostered.

SEC. 3. All lands, including the sixteenth and thirty-sixth sections in every township, donated for the benefit of public schools in the Act of the Thirty-eighth Congress, to enable the people of Nevada Territory to form a State Government, the thirty thousand acres of public lands granted by an Act of Congress, approved July second, A. D. eighteen hundred and sixty-two, for each Senator and Representative in Congress, and all proceeds of lands that have been or may hereafter be granted or appropriated by the United States to this State, and also the five hundred thousand acres of land granted to the new States under the Act of Congress distributing the proceeds of the public lands among the several States of the Union, approved A. D. Lands and funds dedicated to support of.

Lands
and funds
dedicated to
support of.

eighteen hundred and forty-one; *provided*, that Congress make provision for or authorizes such diversion to be made for the purpose herein contained; all estates that may escheat to the State; all of such per cent. as may be granted by Congress on the sale of land; all fines collected under the penal laws of the State; all property given or bequeathed to the State for educational purposes, and all proceeds derived from any or all of said sources, shall be, and the same are hereby solemnly pledged, for educational purposes, and shall not be transferred to any other fund for other uses; and the interest thereon shall, from time to time, be apportioned among the several counties in proportion to the ascertained numbers of the persons between the ages of six and eighteen years in the different counties; and the Legislature shall provide for the sale of floating land warrants to cover the aforesaid lands, and for the investment of all proceeds derived from any of the above-mentioned sources, in United States bonds, or the bonds of this State; *provided*, that the interest only of the aforesaid proceeds shall be used for educational purposes, and any surplus interest shall be added to the principal sum; *and provided further*, that such portions of said interest as may be necessary may be appropriated for the support of the State University.

State
University.

SEC. 4. The Legislature shall provide for the establishment of a State University, which shall embrace departments for agriculture, mechanic arts and mining, to be controlled by a Board of Regents, whose duties shall be prescribed by law.

Normal
school.

SEC. 5. The Legislature shall have power to establish normal schools, and such different grades of schools, from the primary department to the University, as in their discretion they may deem necessary, and all professors in said University, or teachers in said schools, of whatever grade, shall be required to take and subscribe to the oath as prescribed in Article XV. of this Constitution. No professor or teacher who fails to comply with the provisions of any law framed in accordance with the provisions of this section shall be entitled to receive any portion of the public moneys set apart for school purposes.

Educational
special tax.

SEC. 6. The Legislature shall provide a special tax of one-half of one mill on the dollar of all taxable property in the State, in addition to the other means provided for the support and maintenance of said University and common schools; *provided*, that at the end of ten years they may reduce said tax to one-quarter of one mill on each dollar of taxable property.

Board of
Regents
constituted.

SEC. 7. The Governor, Secretary of State, and Superintendent of Public Instruction shall, for the first four years, and until their successors are elected and qualified, constitute a Board of Regents, to control and manage the affairs of the University and the funds of the same, under such regulations as may be provided by law. But the Legislature shall at its regular session next preceding the expiration of the term of office of said Board of Regents, provide for the election of a new Board of Regents and define their duties.

SEC. 8. The Board of Regents shall, from the interest accruing from the first funds which come under their control, imme-

diately organize and maintain the said mining department in such manner as to make it most effective and useful; *provided*, that all the proceeds of the public lands donated by Act of Congress approved July second, A. D. eighteen hundred and sixty-two, for a college for the benefit of agriculture, the mechanic arts, and including military tactics, shall be invested by the said Board of Regents in a separate fund, to be appropriated exclusively for the benefit of the first named departments to the University, as set forth in section four above; and the Legislature shall provide that if, through neglect or any other contingency, any portion of the fund so set apart shall be lost or misappropriated, the State of Nevada shall replace said amount so lost or misappropriated in said fund, so that the principal of said fund shall remain forever undiminished.

Providing
for organiza-
tion of
University.

SEC. 9. No sectarian instruction shall be imparted or tolerated in any school or University that may be established under this Constitution.

ARTICLE XII.

MILITIA.

SECTION 1. The Legislature shall provide by law for organizing and disciplining the militia of this State, for the effectual encouragement of volunteer corps, and the safe keeping of the public arms.

State
militia.

SEC. 2. The Governor shall have power to call out the militia to execute the laws of the State, or to suppress insurrection or repel invasion.

ARTICLE XIII.

PUBLIC INSTITUTIONS.

SECTION 1. Institutions for the benefit of the insane, blind and deaf and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the State, subject to such regulations as may be prescribed by law.

Sanitary and
benevolent
institutions
fostered.

SEC. 2. A State Prison shall be established and maintained in such manner as may be prescribed by law; and provision may be made by law for the establishment and maintenance of a House of Refuge for Juvenile Offenders.

State Prison.

SEC. 3. The respective counties of the State shall provide, as may be prescribed by law, for those inhabitants who, by reason of age and infirmity, or misfortunes, may have claim upon the sympathy and aid of society.

Relating to
the indigent.

ARTICLE XIV.

BOUNDARY.

SECTION 1. The boundary of the State of Nevada shall be as follows: Commencing at a point formed by the intersection of the thirty-eighth degree of longitude west from Washington with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the eastern boundary line of the State of California; thence in a

Boundaries
of State.

Boundaries. northwesterly direction along said eastern boundary line of the State of California to the forty-third degree of longitude west from Washington; thence north along said forty-third degree of west longitude and said eastern boundary line of the State of California to the forty-second degree of north latitude; thence due east along the said forty-second degree of north latitude to a point formed by its intersection with the aforesaid thirty-eighth degree of longitude west from Washington; thence due south down said thirty-eighth degree of west longitude to the place of beginning. And whensoever Congress shall authorize the addition to the Territory or State of Nevada of any portion of the territory on the easterly border of the foregoing defined limits, not exceeding in extent one degree of longitude, the same shall thereupon be embraced within and become a part of this State. *And furthermore provided*, that all such territory lying west of and adjoining the boundary line herein prescribed, which the State of California may relinquish to the Territory or State of Nevada, shall thereupon be embraced within and constitute a part of this State.

ARTICLE XV.

MISCELLANEOUS PROVISIONS.

Seat of government. SECTION 1. The Seat of Government shall be at Carson City, but no appropriation for the erection or purchase of Capitol buildings shall be made during the next three years.

SEC. 2. Members of the Legislature, and all officers, executive, judicial and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath or affirmation:

Official oath. "I, —, do solemnly swear (or affirm) that I will support, protect and defend the Constitution and Government of the United States, and the Constitution and Government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution or law of any State, convention or Legislature to the contrary notwithstanding; and further, that I do this with a full determination, pledge and purpose, without any mental reservation or evasion whatsoever. And I do further solemnly swear (or affirm) that I have not fought a duel, nor sent or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge or acceptance, since the adoption of the Constitution of the State of Nevada, and that I will not be so engaged or concerned, directly or indirectly, in or about any such duel during my continuance in office. And further, that I will well and faithfully perform all the duties of the office of —, on which I am about to enter; (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury."

SEC. 3. No person shall be eligible to any office who is not a qualified elector under this Constitution. No person who, while a citizen of this State, has, since the adoption of this Constitu-

tion, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or who has acted as second, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit or trust, or enjoy the right of suffrage under this Constitution. The Legislature shall provide by law for giving force and effect to this section.

SEC. 4. No perpetuities shall be allowed except for eleemosynary purposes.

SEC. 5. The general election shall be held on the Tuesday next after the first Monday of November.

SEC. 6. The aggregate number of members of both branches of the Legislature shall never exceed seventy-five.

SEC. 7. All county officers shall hold their offices at the county seat of their respective counties.

SEC. 8. The Legislature shall provide for the speedy publication of all statute laws of a general nature, and such decisions of the Supreme Court as it may deem expedient; and all laws and judicial decisions shall be free for publication by any person; *provided*, that no judgment of the Supreme Court shall take effect and be operative until the opinion of the Court in such case shall be filed with the Clerk of said court.

SEC. 9. The Legislature may, at any time, provide by law for increasing or diminishing the salaries or compensation of any of the officers whose salaries or compensation is fixed in this Constitution; *provided*, no such change of salary or compensation shall apply to any officer during the term for which he may have been elected.

SEC. 10. All officers whose election or appointment is not otherwise provided for shall be chosen or appointed as may be prescribed by law.

SEC. 11. The tenure of any office not herein provided for may be declared by law, or, when not so declared, such office shall be held during the pleasure of the authority making the appointment; but the Legislature shall not create any office, the tenure of which shall be longer than four years, except as herein otherwise provided in this Constitution.

SEC. 12. The Governor, Secretary of State, State Treasurer, State Controller, and Clerk of the Supreme Court shall keep their respective offices at the seat of government.

SEC. 13. The enumeration of the inhabitants of this State shall be taken, under the direction of the Legislature, if deemed necessary, in A. D. eighteen hundred and sixty-five, A. D. eighteen hundred and sixty-seven, A. D. eighteen hundred and seventy-five, and every ten years thereafter; and these enumerations, together with the census that may be taken under the direction of the Congress of the United States in A. D. eighteen hundred and seventy, and every subsequent ten years, shall serve as the basis of representation in both houses of the Legislature.

SEC. 14. A plurality of votes given at an election by the peo-

Who eligible
to office.

Perpetuities

Legislature
limited.

Publication
of statutes
and reports.

Salaries may
be increased
or dimin-
ished.

Tenure of
office
limited.

Offices at
capital.

Census
taken, when.

Plurality a
choice. ple shall constitute a choice, where not otherwise provided by
this Constitution.

ARTICLE XVI.

AMENDMENTS.

Constitution
amended,
how. SECTION 1. Any amendment or amendments to this Consti-
tution may be proposed in the Senate or Assembly; and if the
same shall be agreed to by a majority of all the members elected
to each of the two houses, such proposed amendment or amend-
ments shall be entered on their respective Journals, with the
yeas and nays taken thereon, and referred to the Legislature
then next to be chosen, and shall be published for three months
next preceding the time of making such choice. And if, in the
Legislature next chosen as aforesaid, such proposed amendment
or amendments shall be agreed to by a majority of all the mem-
bers elected to each house, then it shall be the duty of the Leg-
islature to submit such proposed amendment or amendments to
the people in such manner and at such time as the Legislature
shall prescribe; and if the people shall approve and ratify such
amendment or amendments by a majority of the electors quali-
fied to vote for members of the Legislature voting thereon,
such amendment or amendments shall become a part of the
Constitution.

SEC. 2. If at any time the Legislature, by a vote of two-thirds
of the members elected to each house, shall determine that it is
necessary to cause a revision of this entire Constitution, they
shall recommend to the electors, at the next election for mem-
bers of the Legislature, to vote for or against a convention, and
if it shall appear that a majority of the electors voting at such
election shall have voted in favor of calling a convention, the
Legislature shall, at its next session, provide by law for calling
a convention to be holden within six months after the passage
of such law; and such convention shall consist of a number of
members not less than that of both branches of the Legislature.
In determining what is a majority of the electors voting at such
election, reference shall be had to the highest number of votes
cast at such election for the candidates for any office or on any
question.

ARTICLE XVII.

SCHEDULE.

Acts of
Territory
made valid. SECTION 1. That no inconvenience may arise by reason of a
change from a Territorial to a permanent State Government, it
is declared that all rights, actions, prosecutions, judgments,
claims and contracts, as well of individuals as of bodies corpo-
rate, including counties, towns and cities, shall continue as if
no change had taken place; and all process which may issue
under the authority of the Territory of Nevada, previous to its
admission into the Union as one of the United States, shall be
as valid as if issued in the name of the State of Nevada.

SEC. 2. All laws of the Territory of Nevada, in force at
the time of the admission of this State, not repugnant to this
Constitution, shall remain in force until they expire by their

own limitations, or be altered or repealed by the Legislature.

Sec. 3. All fines, penalties and forfeitures accruing to the Territory of Nevada, or to the people of the United States in the Territory of Nevada, shall inure to the State of Nevada.

Sec. 4. All recognizances heretofore taken, or which may be taken before the change from a Territorial to a State Government, shall remain valid, and shall pass to, and may be prosecuted in the name of the State, and all bonds executed to the Governor of the Territory, or to any other officer or court in his or their official capacity, or to the people of the United States in the Territory of Nevada, shall pass to the Governor, or other officer, or court, and his or their successors in office, for the uses therein respectively expressed, and may be sued on, and recovery had accordingly; and all property, real, personal or mixed, and all judgments, bonds, specialties, choses in action, claims, and debts of whatsoever description, and all records and public archives of the Territory of Nevada, shall issue to and vest in the State of Nevada, and may be sued for and recovered in the same manner and to the same extent by the State of Nevada, as the same could have been by the Territory of Nevada. All criminal prosecutions and penal actions, which may have arisen, or which may arise before the change from a Territorial to a State Government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State. All offenses committed against the laws of the Territory of Nevada, before the change from a Territorial to a State Government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Nevada with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this Constitution had not been adopted. All actions at law, and suits in equity, and other legal proceedings which may be pending in any of the courts of the Territory of Nevada at the time of the change from a Territorial to a State Government, may be continued and transferred to and determined by any court of the State which shall have jurisdiction of the subject matter thereof. All actions at law and suits in equity, and all other legal proceedings, which may be pending in any of the courts of the Territory of Nevada at the time of the change from a Territorial to a State Government, shall be continued and transferred to, and may be prosecuted to judgment and execution, in any court of the State which shall have jurisdiction of the subject matter thereof; and all books, papers and records, relating to the same shall be transferred in like manner to such court.

Prosecutions in name of State.

Civil actions determined by State courts.

Sec. 5. For the first term of office succeeding the formation of a State Government, the salary of the Governor shall be four thousand dollars per annum; the salary of the Secretary of State shall be three thousand six hundred dollars per annum; the salary of the State Controller shall be three thousand six hundred dollars per annum; the salary of the State Treasurer shall be three thousand six hundred dollars per annum; the salary of the Surveyor-General shall be one thousand dollars per annum; the

Salaries of State officers

Salaries of
State officers

salary of the Attorney-General shall be two thousand five hundred dollars per annum; the salary of the Superintendent of Public Instruction shall be two thousand dollars per annum; the salary of each Judge of the Supreme Court shall be seven thousand dollars per annum. The salaries of the foregoing officers shall be paid quarterly, out of the State Treasury. The pay of State Senators and members of Assembly shall be eight dollars per day, for each day of actual service, and forty cents per mile for mileage going to and returning from the place of meeting. No officer mentioned in this section shall receive any fee or perquisites to his own use for the performance of any duty connected with his office, or for the performance of any additional duty imposed upon him by law.

Apportion-
ment of
Legislators.

SEC. 6. Until otherwise provided by law, the apportionment of Senators and Assemblymen in the different counties shall be as follows, to wit: Storey county, four Senators and twelve Assemblymen; Douglas county, one Senator and two Assemblymen; Esmeralda county, two Senators and four Assemblymen; Humboldt county, two Senators and three Assemblymen; Lander county, two Senators and four Assemblymen; Lyon county, one Senator and three Assemblymen; Lyon and Churchill counties, one Senator jointly; Churchill county, one Assemblyman; Nye county, one Senator and one Assemblyman; Ormsby county, two Senators and three Assemblymen; Washoe and Roop counties, two Senators and three Assemblymen.

SEC. 7. All debts and liabilities of the Territory of Nevada, lawfully incurred, and which remain unpaid at the time of the admission of this State into the Union, shall be assumed by and become the debt of the State of Nevada; *provided*, that the assumption of such indebtedness shall not prevent the State from contracting the additional indebtedness, as provided in section three of Article IX. of this Constitution.

SEC. 8. The term of State officers (except judicial) elected at the first election under this Constitution, shall continue until the Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors.

Territorial
debts
assumed by
State.

SEC. 9. The Senators to be elected at the first election under this Constitution shall draw lots, so that the term of one-half of the number, as nearly as may be, shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six, and the term of the other half shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-eight; *provided*, that in drawing lots for all Senatorial terms, the Senatorial representation shall be allotted so that in the counties having two or more Senators, the terms thereof shall be divided, as nearly as may be, between the long and short terms.

SEC. 10. At the general election in A. D. eighteen hundred and sixty-six, and thereafter, the term of Senators shall be four years from the day succeeding such general election, and members of Assembly for two years from the day succeeding such general election, and the terms of Senators shall be allotted by

the Legislature in long and short terms, as hereinbefore provided, so that one-half the number, as nearly as may be, shall be elected every two years.

SEC. 11. The term of the members of the Assembly elected at the first general election under this Constitution shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-five; and the terms of those elected at the general election in A. D. eighteen hundred and sixty-five shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six.

SEC. 12. The first regular session of the Legislature shall commence on the second Monday of December, A. D. eighteen hundred and sixty-four, and the second regular session of the same shall commence on the first Monday of January, A. D. eighteen hundred and sixty-six, and the third regular session of the Legislature shall be the first of the biennial sessions, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-seven; and the regular sessions of the Legislature shall be held thereafter biennially, commencing on the first Monday of January.

SEC. 13. All county offices under the laws of the Territory of Nevada at the time when the Constitution shall take effect, whose offices are not inconsistent with the provisions of this Constitution, shall continue in office until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified; and all township officers shall continue in office until the expiration of their terms of office, and until their successors are elected and qualified; *provided*, that the Probate Judges of the several counties, respectively, shall continue in office until the election and qualification of the District Judges of the several counties or judicial districts; *and provided further*, that the term of office of the present county officers of Lander county shall expire on the first Monday of January, A. D. eighteen hundred and sixty-five, except the Probate Judge of said county, whose term of office shall expire upon the first Monday of December, A. D. eighteen hundred and sixty-four, and there shall be an election for county officers of Lander county at the general election in November, A. D. eighteen hundred and sixty-four, and the officers then elected shall hold office from the first Monday of January, A. D. eighteen hundred and sixty-five, until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified.

SEC. 14. The Governor, Secretary, Treasurer and Superintendent of Public Instruction of the Territory of Nevada shall each continue to discharge the duties of their respective offices after the admission of this State into the Union, and until the time designated for the qualification of the above named officers to be elected under the State Government; and the Territorial Auditor shall continue to discharge the duties of his said office until the time appointed for the qualification of the State Controller; *provided*, that the said officers shall each receive the salaries, and be subject to the restrictions and conditions pro-

vided in this Constitution; *and provided further*, that none of them shall receive to his own use any fees or perquisites for the performance of any duty connected with his office.

SEC. 15. The terms of the Supreme Court shall, until provision be made by law, be held at such times as the Judges of the said court, or a majority of them, may appoint. The first terms of the several District Courts (except as hereinafter mentioned) shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four. The first term of the District Court in the Fifth Judicial District shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four, in the county of Nye, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-five, in the county of Churchill. The terms of the Fourth Judicial District Court shall, until otherwise provided by law, be held at the county seat of Washoe county, and the first term thereof commence on the first Monday of December, A. D. eighteen hundred and sixty-four.

SEC. 16. The Judges of the several District Courts of this State shall be paid, as hereinbefore provided, salaries at the following rates per annum: First Judicial District (each Judge), six thousand dollars; Second Judicial District, four thousand dollars; Third Judicial District, five thousand dollars; Fourth Judicial District, five thousand dollars; Fifth Judicial District, thirty-six hundred dollars; Sixth Judicial District, four thousand dollars; Seventh Judicial District, six thousand dollars; Eighth Judicial District, thirty-six hundred dollars; Ninth Judicial District, five thousand dollars.

SEC. 17. The salary of any Judge in said judicial districts may, by law, be altered or changed, subject to the provisions contained in this Constitution.

SEC. 18. The Governor, Lieutenant-Governor, Secretary of State, State Treasurer, State Controller, Attorney-General, Surveyor-General, Clerk of the Supreme Court, and Superintendent of Public Instruction, to be elected at the first election under this Constitution, shall each qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election, and shall continue in office until the first Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors respectively.

SEC. 19. The Judges of the Supreme Court and District Judges to be elected at the first election under this Constitution shall qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election.

SEC. 20. All officers of State, and District Judges first elected under this Constitution shall be commissioned by the Governor of this Territory, which commission shall be countersigned by the Secretary of the same, and shall qualify, before entering upon the discharge of their duties, before any officer authorized to administer oaths under the laws of this Territory; and also the State Controller and State Treasurer shall each respectively, before they qualify and enter upon the discharge of their duties,

execute and deliver to the Secretary of the Territory of Nevada an official bond, made payable to the people of the State of Nevada, in the sum of thirty thousand dollars, to be approved by the Governor of the Territory of Nevada, and shall also execute and deliver to the Secretary of State such other or further official bond or bonds as may be required by law.

SEC. 21. Each county, town, city, and incorporated village shall make provision for the support of its own officers, subject to such regulations as may be prescribed by law.

SEC. 22. In case the office of any Justice of the Supreme Court, District Judge, or other State officer shall become vacant before the expiration of the regular term for which he was elected, the vacancy may be filled by appointment by the Governor, until it shall be supplied at the next general election, when it shall be filled by election for the residue of the unexpired term.

SEC. 23. All cases, both civil and criminal, which may be pending and undetermined in the Probate Courts of the several counties at the time when, under the provisions of this Constitution, said Probate Courts are to be abolished, shall be transferred to and determined by the District Courts of such counties respectively.

SEC. 24. For the first three years after the adoption of this Constitution, the Legislature shall not levy a tax for State purposes exceeding one per cent. per annum on the taxable property in the State; *provided*, the Legislature may levy a special tax, not exceeding one-fourth of one per cent. per annum, which shall be appropriated to the payment of the indebtedness of the Territory of Nevada assumed by the State of Nevada, and for that purpose only, until all of said indebtedness is paid.

SEC. 25. The county of Roop shall be attached to the county of Washoe for judicial, legislative, revenue and county purposes until otherwise provided by law.

SEC. 26. At the first regular session of the Legislature to convene under the requirements of this Constitution, provision shall be made by law for paying for the publication of six hundred copies of the debates and proceedings of this Convention in book form, to be disposed of as the Legislature may direct; and the Hon. J. Neely Johnson, President of this Convention, shall contract for, and A. J. Marsh, Official Reporter of this Convention, under the direction of the President, shall supervise the publication of such debates and proceedings. Provision shall be made by law at such first session of the Legislature for the compensation of the official reporter of this convention, and he shall be paid in coin or its equivalent. He shall receive, for his services in reporting the debates and proceedings, fifteen dollars per day during the session of the convention, and seven and one-half dollars additional for each evening session, and thirty cents per folio of one hundred words for preparing the same for publication; and for supervising and indexing such publication the sum of fifteen dollars per day during the time actually engaged in such service.

ELECTION ORDINANCE.

WHEREAS, The enabling Act passed by Congress and approved March twenty-first, A. D. eighteen hundred and sixty-four, requires that the Convention charged with the duty of framing a Constitution for a State Government "shall provide by ordinance for submitting said Constitution to the people of the Territory of Nevada for their ratification or rejection," on a certain day prescribed therein; therefore this Convention, organized in pursuance of said enabling Act, do establish the following

ORDINANCE.

SECTION 1. The Governor of the Territory of Nevada is hereby authorized to issue his proclamation for the submission of this Constitution to the people of said Territory, for their approval or rejection, on the day provided for such submission by Act of Congress; and this Constitution shall be submitted to the qualified electors of said Territory, in the several counties thereof, for their approval or rejection, at the time provided by such Act of Congress; and further, on the first Tuesday after the first Monday of November, A. D. eighteen hundred and sixty-four, there shall be a general election in the several counties of said Territory for the election of State officers, Supreme and District Judges, members of the Legislature, Representative in Congress, and three Presidential Electors.

Sec. 2. All persons qualified by the laws of said Territory to vote for Representatives to the General Assembly on the said twenty-first day of March, including those in the army of the United States, both within and beyond the boundaries of said Territory, and also all persons who may, by the aforesaid laws, be qualified to vote on the first Wednesday of September, A. D. eighteen hundred and sixty-four, including those in the aforesaid army of the United States, within and without the boundaries of said Territory, may vote for the adoption or rejection of said Constitution, on the day last above named. In voting upon this Constitution each elector shall deposit in the ballot box a ticket, whereon shall be clearly written or printed "Constitution—Yes" or "Constitution—No," or such other words that shall clearly indicate the intention of the elector.

Sec. 3. All persons qualified by the laws of said Territory to vote on the Tuesday after the first Monday of November, A. D. eighteen hundred and sixty-four, including those in the army of the United States, within and beyond the boundaries of said Territory, may vote on the day last above named for State officers, Supreme and District Judges, members of the Legislature, Representative in Congress and three Presidential Electors to the Electoral College.

Sec. 4. The elections provided in this ordinance shall be holden at such places as shall be designated by the Boards of Commissioners of the several counties in said Territory. The Judges and Inspectors of said elections shall be appointed by said Commissioners, and the said elections shall be conducted

in conformity with the existing laws of said Territory in relation to holding the general election.

SEC. 5. The Judges and Inspectors of said elections shall carefully count each ballot immediately after said elections and forthwith make duplicate returns thereof to the Clerks of the said County Commissioners of their respective counties; and said Clerks, within fifteen days after said election, shall transmit an abstract of the votes, including the soldiers' vote, as herein provided, given for State officers, Supreme and District Judges, Representative in Congress and three Presidential Electors, enclosed in an envelope, by the most safe and expeditious conveyance, to the Governor of said Territory, marked "Election Returns."

SEC. 6. Upon the receipt of said returns, including those of the soldiers' vote, or within twenty days after the election, if said returns be not sooner received, it shall be the duty of the Board of Canvassers, to consist of the Governor, United States District Attorney and Chief Justice of said Territory, or any two of them, to canvass the returns in the presence of all who may wish to be present, and if a majority of all the votes given upon this Constitution shall be in its favor, the said Governor shall immediately publish an abstract of the same, and make proclamation of the fact, in some newspaper in said Territory, and certify the same to the President of the United States, together with a copy of the Constitution and ordinance. The said Board of Canvassers, after canvassing the votes of the said November elections, shall issue certificates of election to such persons as were elected State officers, Judges of the Supreme and District Courts, Representative in Congress and three Presidential Electors. When the President of the United States shall issue his proclamation declaring this State admitted into the Union on an equal footing with the original States, this Constitution shall thenceforth be ordained and established as the Constitution of the State of Nevada.

SEC. 7. For the purpose of taking the vote of the electors of said Territory who may be in the army of the United States, the Adjutant-General of said Territory shall, on or before the fifth day of August next following, make out a list in alphabetical order, and deliver the same to the Governor, of the names of all the electors, residents of said Territory, who shall be in the army of the United States, stating the number of the regiment, battalion, squadron, or battery, to which he belongs, and also the county or township of his residence in said Territory.

SEC. 8. The Governor shall classify and arrange the aforesaid returned list, and shall make therefrom separate lists of the electors belonging to each regiment, battalion, squadron and battery from said Territory, in the services of the United States, and shall, on or before the fifteenth day of August following transmit, by mail or otherwise, to the commanding officer of each regiment, battalion, squadron and battery, a list of electors belonging thereto, which said list shall specify the name, residence and rank of each elector and the company to

which he belongs, if to any, and also the county and township to which he belongs, and in which he is entitled to vote.

SEC. 9. Between the hours of nine o'clock A. M. and three o'clock P. M., on each of the election days hereinbefore named, a ballot box, or suitable receptacle for votes, shall be opened, under the immediate charge and direction of three of the highest officers in command, for the reception of votes from the electors whose names are upon said list, at each place where a regiment, battalion, squadron, or battery of soldiers from said Territory, in the army of the United States, may be on that day, at which time and place said elector shall be entitled to vote for all officers for which, by reason of their residence in the several counties in said Territory, they are authorized to vote, as fully as they would be entitled to vote in the several counties or townships in which they reside, and the votes so given by such electors, at such time and place, shall be considered, taken and held to have been given by them in the respective counties and townships in which they are resident.

SEC. 10. Each ballot deposited for the adoption or rejection of this Constitution, in the army of the United States, shall have distinctly written or printed thereon "Constitution—Yes," or, "Constitution—No," or words of a similar import; and, further, for the election of State officers, Supreme and District Judges, members of the Legislature, Representative in Congress, and three Presidential Electors, the name and office of the person voted for shall be plainly written or printed on one piece of paper. The name of each elector voting as aforesaid shall be checked upon the said list, at the time of voting, by one of the said officers having charge of the ballot box. The said officers having charge of the election shall count the votes and compare them with the checked lists immediately after the closing of the ballot box.

SEC. 11. All the ballots cast, together with the said voting list, checked as aforesaid, shall be immediately sealed up and sent forthwith to the Governor of said Territory, at Carson City, by mail or otherwise, by the commanding officer, who shall make out and certify duplicate returns of votes given, according to the forms hereinafter prescribed, seal up and immediately transmit the same to the said Governor, at Carson City, by mail or otherwise, the day following the transmission of the ballots and the voting list herein named. The said commanding officer shall also immediately transmit to the several County Clerks in said Territory, an abstract of the votes given at the general election in November, for county officers, marked "Election Returns."

SEC. 12. The forms of returns of votes to be made by the commanding officer to the Governor and County Clerks of said Territory shall be in substance as follows, viz:

Returns of soldiers' votes in the (here insert the regiment, detachment, battalion, squadron, or battery).

(For first election—On the Constitution.)

I, ———, hereby certify that on the first Wednesday of Sep-

tember, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert the name of the regiment, detachment, battalion, squadron, or battery) cast the following number of votes for and against the Constitution for the State of Nevada, viz:

For Constitution—(number of votes written in full and in figures).

Against Constitution—(number of votes written in full and in figures).

(Second election—For State and other officers.)

I, ———, hereby certify, that on the first Tuesday after the first Monday in November, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert as above) cast the following number of votes for the several officers and persons hereinafter named, viz:

For Governor—(names of persons voted for, number of votes for each person voted for, written in full, and also in figures, against the name of each person).

For Lieutenant-Governor—(names of candidates, number of votes cast for each written out, and in figures as above).

Continue as above till the list is completed.

Attest:

I. A. B.

Commanding officer of the (here insert regiment, detachment, battalion, squadron, or battery, as the case may be).

SEC. 13. The Governor of this Territory is requested to furnish each commanding officer, within and beyond the boundaries of said Territory, proper and sufficient blanks for said returns.

SEC. 14. The provisions of this ordinance in regard to the soldiers' vote shall apply to future elections under this Constitution, and be in full force until the Legislature shall provide by law for taking the votes of citizens of said Territory in the army of the United States.

Done in convention, at Carson City, the twenty-eighth day of July, in the year of our Lord one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-ninth, and signed by the delegates.

J. NEELY JOHNSON,

President of the Convention and Delegate from Ormsby county.

WM. M. GILLESPIE, Secretary.

Henry B. Brady.....	Delegate from Washoe county.
E. F. Dunne.....	Delegate from Humboldt county.
J. G. McClinton.....	Delegate from Esmeralda county.
G. N. Folsom.....	Delegate from Washoe county.
F. H. Kennedy.....	Delegate from Lyon county.
W. W. Belden.....	Delegate from Washoe county.
F. M. Proctor.....	Delegate from Nye county.
Albert T. Hawley.....	Delegate from Douglas county.
Geo. L. Gibson.....	Delegate from Ormsby county.
F. Tagliabue.....	Delegate from Nye county.
Wm. Wetherill.....	Delegate from Esmeralda county.
John A. Collins.....	Delegate from Storey county.

Jas. A. Banks.....	Delegate from Humboldt county.
J. S. Crosman.....	Delegate from Lyon county.
Sam'l A. Chapin.....	Delegate from Storey county.
C. M. Brosnan.....	Delegate from Storey county.
John H. Kinhead.....	Delegate from Ormsby county.
Geo. A. Hudson.....	Delegate from Lyon county.
Israel Crawford.....	Delegate from Ormsby county.
A. J. Lockwood.....	Delegate from Ormsby county.
H. G. Parker.....	Delegate from Lyon county.
J. H. Warwick.....	Delegate from Lander county.
C. E. DeLong.....	Delegate from Storey county.
Lloyd Frizell.....	Delegate from Storey county.
Geo. A. Nourse.....	Delegate from Washoe county.
B. S. Mason.....	Delegate from Esmeralda county.
Almon Hovey.....	Delegate from Storey county.
Thomas Fitch.....	Delegate from Storey county.
J. W. Haines.....	Delegate from Douglas county.

AMENDMENTS TO THE CONSTITUTION.

FIRST AMENDMENT.

A Preamble and Conjoint Resolutions providing an amendment to the Constitution of the State of Nevada.

[Proposed and passed at the Eighth Session of the Legislature, January 15, 1877, Statutes of 1877, page 213; agreed to and passed at the Ninth Session of the Legislature, January 27, 1879, Statutes of 1879, page 149, and approved and ratified by the people at the general election of 1880.]

Preamble.

WHEREAS, By the second section of Article I. of the Constitution of this State, it is explicitly declared that "the paramount allegiance of every citizen is due to the Federal Government," and that "no power exists in the people of this or any other State of the Federal Union to dissolve their connection therewith, or perform any act tending to impair, subvert, or resist the supreme authority of the Government of the United States;" and, whereas, the Constitution of the United States has been so amended as to confer upon all native-born citizens of this Republic, irrespective of color, race, or previous condition of servitude, a condition of full and exact equality; and, whereas, the Constitution of this State, as it now reads, is not in harmony with the amended Constitution of the United States; therefore, be it

Eliminating
word
"white."

Rights of
suffrage.

Proviso.

Resolved by the Assembly, conjointly with the Senate, That section one of Article II. of the Constitution of this State shall be amended by the elimination therefrom of the word "white," and the effect of such elimination shall be that no male citizen of the United States shall be excluded from the rights of suffrage and office-holding by reason of his race, color, or previous condition of servitude; *provided*, that this amendment shall not be construed as conferring the rights of naturalization, suffrage, and office-holding upon any native of the Chinese Empire; and, be it further

Resolved, That there shall be added to the present Constitution of this State an article to be called and known as Article XVIII., and which shall be as follows:

ARTICLE XVIII.—The rights of suffrage and office-holding shall not be withheld from any male citizen of the United States by reason of his color or previous condition of servitude.

Right of
suffrage
shall not be
withheld.

SECOND AMENDMENT.

Concurrent Resolution in relation to an amendment to the Constitution of the State of Nevada.

[Proposed and passed at the Eighth Session of the Legislature, February 27, 1877, Statutes of 1877, page 221; agreed to and passed at the Ninth Session of the Legislature, January 27, 1879, Statutes of 1879, page 149, and approved and ratified by the people at the general election of 1880.]

Resolved by the Assembly, the Senate concurring, That Article Eleven (11) of the Constitution of the State of Nevada be amended by adding to said Article Eleven (11) section ten (10) thereto, which shall read as follows:

Section ten. No public funds of any kind or character whatever, State, county, or municipal, shall be used for sectarian purposes.

No public
funds shall
be used for
sectarian
purposes.

THIRD AMENDMENT.

Senate Concurrent Resolution, relative to amending the Constitution of the State of Nevada.

[Proposed and passed at the Twelfth Session of the Legislature, February 23, 1885, Statutes of 1885, page 151; agreed to and passed at the Thirteenth Session of the Legislature, March 3, 1887, Statutes of 1887, page 165, and approved and ratified by the people at a special election held February 11, 1889.]

Resolved by the Senate, the Assembly concurring, That the Constitution of the State of Nevada be amended as follows:

Amend section two of Article IV. of the Constitution of the State of Nevada so as to read as follows:

Section two. The sessions of the Legislature shall be biennial, and shall commence on the third Monday of January next ensuing the election of members of the Assembly, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

Sessions
of the
Legislature.

FOURTH AMENDMENT.

Senate Concurrent Resolution, relative to amending the Constitution of the State of Nevada.

[Proposed and passed at the Twelfth Session of the Legislature, February 23, 1885, Statutes of 1885, page 152; agreed to and passed at the Thirteenth Session of the Legislature, March 3, 1887, Statutes of 1887, page 166, and approved and ratified by the people at a special election held February 11, 1889.]

Resolved by the Senate, the Assembly concurring, That the

Constitution of the State of Nevada be amended as follows:

Amend section twenty of Article IV. of the Constitution of the State of Nevada so as to read as follows:

Legislature
shall not
pass local or
special laws
in certain
cases.

Section twenty. The Legislature shall not pass local or special laws in any of the following enumerated cases—that is to say: Regulating the jurisdiction and duties of the Justices of the Peace; for the punishment of crimes and misdemeanors; regulating the practice of courts of justice; providing for changing the venue in civil and criminal cases; granting divorces; changing the names of persons; vacating roads, town plots, streets, alleys and public squares; summoning and impaneling grand and petit juries, and providing for their compensation; regulating county and township business; regulating the election of county and township officers; for the assessment and collection of taxes for State, county and township purposes; providing for opening and conducting elections of State, county and township officers, and designating the places of voting; providing for the sale of real estate or personal property belonging to minors or other persons under legal disabilities; giving effect to invalid deeds, wills or other instruments; refunding money paid into the State Treasury, or into the treasury of any county; releasing the indebtedness, liability or obligation of any corporation, association or person to the State, or to any county, town or city of this State. But nothing in this section shall be construed to deny or restrict the power of the Legislature to establish and regulate the compensation and fees of county and township officers; to establish and regulate the rates of freight, passage, toll, and charges of railroads, toll roads, ditch, flume and tunnel companies incorporated under the laws of this State or doing business therein.

Certain
cases
excepted.

FIFTH AMENDMENT.

Senate Concurrent Resolution, relative to amending the Constitution of the State of Nevada.

[Proposed and passed at the Twelfth Session of the Legislature, February 25, 1885, Statutes of 1885, page 160; agreed to and passed at the Thirteenth Session of the Legislature March 3, 1887, Statutes of 1887, page 168, and approved and ratified by the people at a special election held February 11, 1889.]

Resolved by the Senate, the Assembly concurring, That the Constitution of the State of Nevada be amended as follows:

Amend section three of Article Eleven of the Constitution of the State of Nevada so as to read as follows:

Lands and
funds
pledged to
educational
purposes.

Section three. All lands, including the sixteenth and thirty-sixth sections in any township donated for the benefit of public schools in the Act of the Thirty-eighth Congress, to enable the people of Nevada Territory to form a State Government, the thirty thousand acres of public lands granted by an Act of Congress, approved July second, A. D. eighteen hundred and sixty-two, for each Senator and Representative in Congress, and all proceeds of lands that have been or may hereafter be granted or appropriated by the United States to this State, and

also the five hundred thousand acres of land granted to the new States under the Act of Congress distributing the proceeds of the public lands among the several States of the Union, approved A. D. eighteen hundred and forty-one; *provided*, that Congress make provision for or authorize such diversion to be made for the purpose herein contained; all estates that may escheat to the State; all of such per centum as may be granted by Congress on the sale of lands; all fines collected under the penal laws of the State; all property given or bequeathed to the State for educational purposes, and all proceeds derived from any or all of said sources shall be and the same are hereby solemnly pledged for educational purposes, and shall not be transferred to any other fund for other uses; and the interest thereon shall, from time to time, be apportioned among the several counties as the Legislature may provide by law; and the Legislature shall provide for the sale of floating land warrants to cover the aforesaid lands, and for the investment of all proceeds derived from any of the above-mentioned sources, in United States bonds, or the bonds of this State, or the bonds of other States of the Union; *provided*, that the interest only of the aforesaid proceeds shall be used for educational purposes, and any surplus interest shall be added to the principal sum; *and provided further*, that such portions of said interest as may be necessary may be appropriated for the support of the State University.

Escheated
estates and
fines
pledged to
educational
purposes.

Interest
only to be
used.

Portions of
interest
may be ap-
propriated
for State
University.

SIXTH AMENDMENT.

Senate Concurrent Resolution, relative to amending the Constitution of the State of Nevada.

[Proposed and passed at the Twelfth Session of the Legislature, passed February 25, 1885, Statutes of 1885, page 161; agreed to and passed at the Thirteenth Session, March 3, 1887, Statutes of 1887, page, 169, and approved and ratified by the people at a special election held February 11, 1889.]

Resolved by the Senate, the Assembly concurring, That the Constitution of the State of Nevada be amended as follows:

Amend section six of Article XI. of the Constitution of the State of Nevada so as to read as follows:

Section six. The Legislature shall provide a special tax, which shall not exceed two mills on the dollar of all taxable property in the State, in addition to the other means provided for the support and maintenance of said University and common schools.

Special tax
provided for
educational
purposes.

SEVENTH AMENDMENT.

Assembly Joint Resolution, relative to amending the Constitution of the State of Nevada.

[Proposed and passed at the Thirteenth Session of the Legislature, March 3, 1887, Statutes of 1887, page 161; agreed to and passed at Fourteenth Session of the Legislature, January 17, 1889, Statutes of 1889, page 151, and approved and ratified by the people at a special election held February 11, 1889.]

Resolved by the Assembly, the Senate concurring, That the Con-

stitution of the State of Nevada be amended in the following manner:

Amend section thirty-two of Article IV. so that it shall read as follows:

Powers of
Legislature
in relation
to county
officers.

Section thirty-two. The Legislature shall have power to increase, diminish, consolidate, or abolish the following county officers: County Clerks, County Recorders, Auditors, Sheriffs, District Attorneys, County Surveyors, Public Administrators and Superintendents of Schools. The Legislature shall provide for their election by the people, and fix by law their duties and compensation. County Clerks shall be *ex officio* Clerks of the Courts of Record and of the Boards of County Commissioners in and for their respective counties.

EIGHTH AMENDMENT.

Assembly Joint Resolution, relative to amending section three, Article XV., of the Constitution of the State of Nevada.

[Proposed and passed at the Thirteenth Session of the Legislature, March 3, 1887, Statutes of 1887, page 162; agreed to and passed at the Fourteenth Session of the Legislature, January 17, 1889, Statutes of 1889, page 151, and approved and ratified by the people at a special election held February 11, 1889.]

Resolved by the Assembly and the Senate conjointly, That section three, Article XV., of the Constitution of the State of Nevada be amended so as to read as follows:

Who not
eligible to
office.

Section three. No person shall be eligible to any office who is not a qualified elector under this Constitution. No person who, while a citizen of this State, has, since the adoption of this Constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or who has acted as second, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit or trust, or enjoy the right of suffrage under this Constitution. The Legislature shall provide by law for giving force and effect to the foregoing provisions of this section; *provided*, that females over the age of twenty-one years, who have resided in this State one year, and in the county or district six months next preceding any election to fill either of said offices, shall be eligible to the offices of Superintendent of Public Schools and School Trustee.

Females
eligible for
school
offices.

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ANNUAL REPORT
OF THE
TREASURER OF THE STATE OF NEVADA
FOR THE
FISCAL YEAR ENDING DECEMBER 31, 1894.

G. W. RICHARD, STATE TREASURER.

SUBMITTED JANUARY 5, 1895.

REPORT.

OFFICE OF THE STATE TREASURER, }
CARSON CITY, Nevada, December 31, 1894. }

To His Excellency R. K. COLCORD, Governor of Nevada :

DEAR SIR: In compliance with law I herewith submit my annual report as Treasurer for the year ending this day.

On the 14th of April last after a long illness, the Hon. J. F. Egan, State Treasurer, died, leaving a vacancy in his office. On the 17th of April I was honored by you with the appointment to fill the unexpired term. Having been with Mr. Egan during his entire incumbency as his deputy, and as the entire business of the year 1894 (owing to Mr. Egan's illness and death) has been under my supervision, I have not considered it necessary to make separate reports for the time we have each held the office, but render one statement covering the entire period.

Hoping this will meet your approval and that of the Legislature soon to convene, I remain yours respectfully,

G. W. RICHARD, Treasurer.

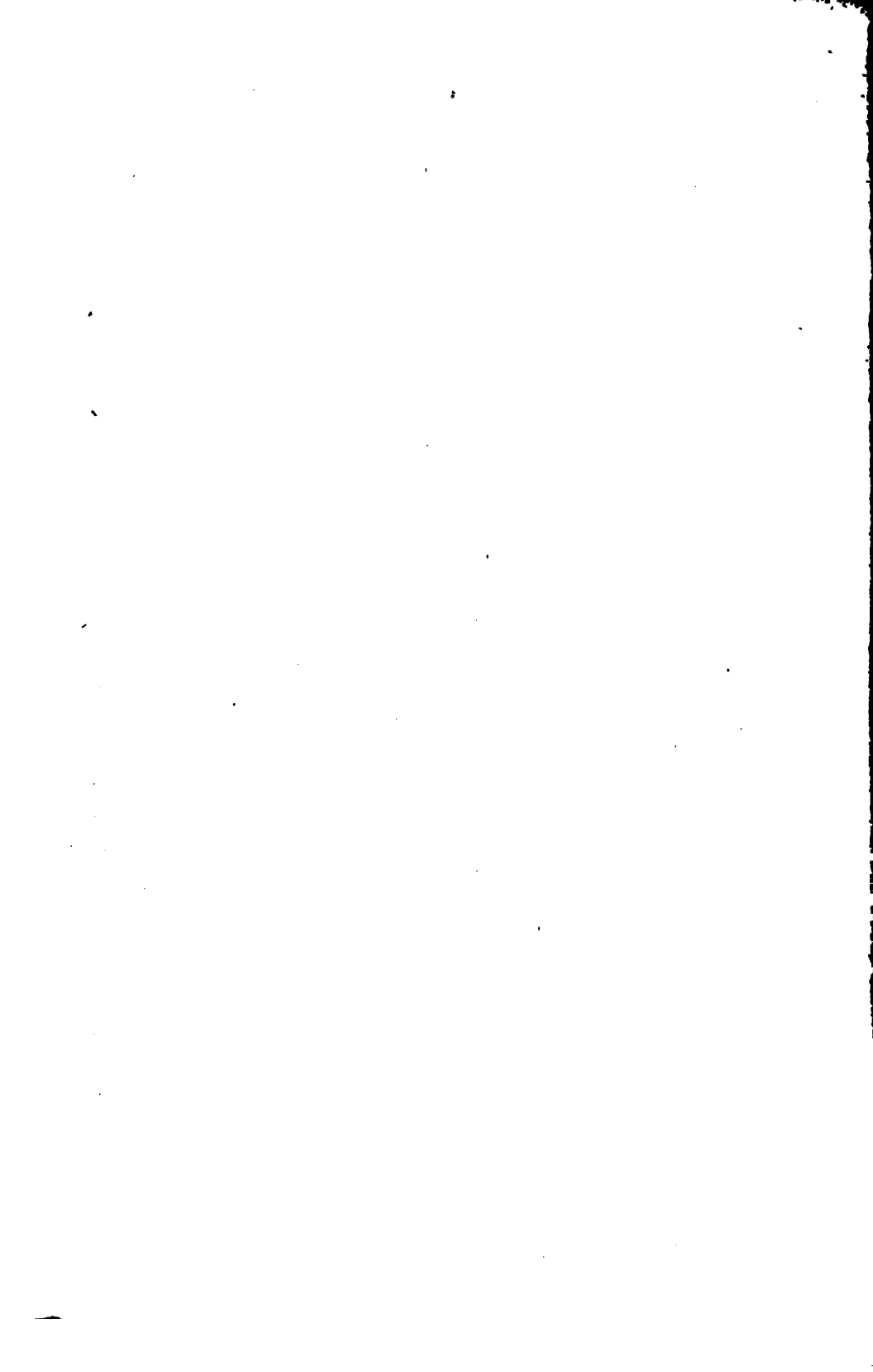


EXHIBIT A.

Showing balance on hand January 1, 1894, and apportionment of the same.

Balance on hand January 1, 1894.....	\$399,310 95
<i>Apportioned.</i>	
General Fund.....	\$132,428 21
State School Fund.....	123,238 11
General School Fund.....	64,341 63
State Interest and Sinking Fund.....	23,157 46
Territorial Interest Fund.....	14,633 42
Insane Interest and Sinking Fund.....	9,064 49
State Library Fund.....	350 52
University Fund, 90,000-Acre Grant.....	9,649 56
Interest Account, 90,000-Acre Grant.....	880 53
State University Fund.....	17,130 18
Contingent University Fund.....	485 14
District Judges' Salary Fund.....	3,951 70
Total.....	\$399,310 95

REPORT OF THE

EXHIBIT B.

Showing receipts for the year 1894.

Date.	Source of Revenue.	Apportioned To.	Amounts.	Totals.
1894				
Jan. 1---	To balance -----	State School Fund -----	-----	\$399,310 95
Dec. 31-	To sale of State School lands -----	University Fund, 90,000-Acre Grant-----	-----	24,815 20
	To sale of 90,000-Acre Grant lands -----	State University Fund -----	-----	228 95
	To sale of University lands -----		-----	10 00
	To interest on deferred payments on State School lands -----	General School Fund -----	-----	65,715 88
	To interest on deferred payments on 90,000-Acre Grant lands -----	Interest Account, 90,000-Acre Grant-----	-----	1,003 33
	To interest on deferred payments on University lands -----	Contingent University Fund -----	-----	551 71
	To interest on Nevada 5 per cent. bond -----	General School Fund -----	-----	28,500 00
	To interest on Nevada 4 per cent. bonds -----	General School Fund -----	\$7,266 67	
		Interest Account, 90,000-Acre Grant-----	2,516 67	
		Contingent University Fund -----	384 33	
	To interest on United States 4 per cent. bonds -----	State School Fund -----	\$6,250 00	10,167 67
		General School Fund -----	13,750 00	
		Interest Account, 90,000-Acre Grant-----	1,560 00	
		Contingent University Fund -----	440 00	22,000 00

STATE TREASURER.

7

To redemption of Nevada 4 per cent. bonds-----	State School Fund-----	-----	46,000 00
To sale of Nevada 4 per cent. bonds-----	Interest Account, 90,000-Acre Grant-----	\$2,000 00	
	Contingent University Fund-----	5,000 00	
			7,000 00
To insurance licenses and certificates-----	General Fund-----	\$4,864 75	
To fees of Clerk of Supreme Court-----	General Fund-----	852 95	
To sale of statutes-----	General Fund-----	135 00	
To sale of old desk-----	General Fund-----	7 50	
To sale of old type-----	General Fund-----	5 00	
			5,865 20
To Nevada State Prison, receipts-----	State Prison Fund-----	-----	12,766 71
To State Orphan Home, receipts-----	State Orphan Home Fund-----	-----	160 00
To State Insane Asylum, receipts-----	State Indigent Insane Fund-----	-----	1,342 15
To sale of Nevada Reports-----	State Library Fund-----	\$502 00	
To attorney's licenses-----	State Library Fund-----	325 00	
To fees of Secretary of State-----	State Library Fund-----	651 55	
To sale of books from Library-----	State Library Fund-----	40 75	
			1,519 30
To Supreme Court docket tax-----	Judicial Salary Fund-----	-----	120 00
To 5 per cent. on Government lands sold in Nevada-----		-----	45 37
	State School Fund-----	-----	
To county settlements-----	General Fund-----	\$145,639 21	
	State School Fund-----	1,439 58	
	General School Fund-----	11,941 32	
Carried forward-----		\$159,020 11	\$627,122 42

EXHIBIT B—Continued.

Date.	Source of Revenue.	Apportioned To.	Amounts.	Totals.
1894	Brought forward -----	-----	\$159,020 11	\$627,122 42
Dec. 31	To county settlements -----	State Interest and Sinking Fund -----	20,664 21	
		Territorial Interest Fund -----	15,226 10	
		Insane Interest and Sinking Fund -----	7,613 05	
	To amounts received from the several counties for the payment of District Judges' salaries :			202,523 47
	To Churchill county -----	District Judges' Salary Fund -----	\$402 50	
	To Douglas county -----	District Judges' Salary Fund -----	715 00	
	To Elko county (for 1895) -----	District Judges' Salary Fund -----	2,823 00	
	To Esmeralda county -----	District Judges' Salary Fund -----	1,212 05	
	To Eureka county -----	District Judges' Salary Fund -----	2,037 51	
	To Humboldt county -----	District Judges' Salary Fund -----	2,337 48	
	To Lander county -----	District Judges' Salary Fund -----	1,031 25	
	To Lincoln county -----	District Judges' Salary Fund -----	475 00	
	To Lyon county -----	District Judges' Salary Fund -----	1,345 00	
	To Nye county -----	District Judges' Salary Fund -----	577 52	
	To Ormsby county -----	District Judges' Salary Fund -----	1,655 00	
	To Storey county -----	District Judges' Salary Fund -----	4,165 00	
	To Washoe county -----	District Judges' Salary Fund -----	3,427 50	
	To White Pine county -----	District Judges' Salary Fund -----	922 48	
	Total -----			23,126 29
				\$852,772 18

EXHIBIT B—Continued.
Showing disbursements for the year 1894.

Date.	Paid From.	Paid For.	Amounts.	Totals.
1894				
Dec. 31	By General Fund -----	Salary of Governor -----	\$6,250 06	
		Salary of Lieutenant-Governor -----	2,475 00	
		Salary of Secretary of State -----	3,000 00	
		Salary of State Controller -----	3,000 00	
		Salary of State Treasurer -----	3,000 00	
		Salary of Attorney-General -----	3,000 00	
		Salary of Clerk of Supreme Court -----	2,250 00	
		Salary of Governor's Private Sec'tary -----	1,600 00	
		Salary of Deputy Secretary of State -----	1,600 00	
		Salary of Deputy State Controller -----	1,600 00	
		Salary of Deputy State Treasurer -----	1,600 00	
		Salary of Sup't of State Printing -----	2,000 00	
		Curator and Clerk of Board of Orphan Home Directors -----	400 00	
		Salary of Director of Weather Service -----	600 00	
		Salary of Bailiff of Supreme Court -----	240 00	
		Salary of porters and watchman -----	3,000 00	
		Care of Capitol grounds and water works -----	1,930 03	
		Current expenses -----	2,050 24	
	Carried forward -----		\$39,595 33	

EXHIBIT B—Continued.

Date.	Paid From.	Paid For.	Amounts.	Totals.
1894	Brought forward-----			
Dec. 31-	By General Fund-----	Stationery, fuel and lights ----- Bookbinding and official advertising- Furniture and repairs to State Cap- itol and Printing Office----- Support of State Printing Office--- Support of deaf, dumb and blind--- Fish Commissioner ----- Purchase of instruments and contin- gent expenses of Weather Service- Preparation of Legislative Halls---- Insurance State Capitol and Library- State Board of Health ----- Military Encampment----- Enforcing collection of revenue ---	\$39,595 33 1,697 09 1,519 85 72 20 3,915 25 975 70 1,329 90 169 17 240 63 2,000 00 28 00 2,856 36 3 50	
	By State School Fund -----	Withdrawal of special land deposits- Salary of Surveyor-General----- Salary of Deputy Surveyor-General- Salary of Draughtsman and Clerks of State Land Office----- Salary of attorney at Washington --	\$927 01 3,250 00 1,600 00 2,488 37 625 00	\$54,402 98

By General School Fund-----	Purchase of township plats-----	252 00	123,142 38
	United States bonds-----	114,000 00	
By State Interest and Sinking Fund-----	Support of common schools-----	\$119,340 47	121,715 92
	Salary of Sup't of Public Instruction- Traveling expenses of Superintend- ent of Public Instruction-----	2,000 00 375 45	
	Redemption of Nevada 4 per cent. State bonds-----	\$31,000 00	
By Territorial Interest Fund-----	Interest on Nevada 4 per cent. State bonds-----	9,587 67	40,587 67
	Interest on Nevada 5 per cent. State bond-----	-----	
	Redemption of Nevada 4 per cent. State bonds-----	\$15,000 00	
By Insane Int. and Sinking Fund-----	Interest on Nevada 4 per cent. State bonds-----	580 00	28,500 00
	Purchase of books-----	-----	
	Salary of Justices of Supreme Court- Support of-----	----- -----	
By State Salary Fund-----	Support of-----	-----	15,580 00
	Support of-----	-----	
	Support of-----	-----	
By Judicial Salary Fund-----	Support of-----	-----	1,628 47
	Support of-----	-----	
	Support of-----	-----	
By State Orphan Home Fund-----	Support of-----	-----	17,375 00
	Support of-----	-----	
	Support of-----	-----	
By State Prison Fund-----	Support of-----	-----	14,659 22
	Support of-----	-----	
	Support of-----	-----	
By State Indigent Insane Fund-----	Support of-----	-----	32,740 88
	Support of-----	-----	
	Support of-----	-----	
Carried forward-----		\$487,932 19	

EXHIBIT B—Continued.

Date.	Paid From.	Paid For.	Amounts.	Totals.
1894	Brought forward-----			\$487,932 19
Dec. 31.	By University Fund, 90,000-Acre Grant-----	Nevada 4 per cent. bonds----- Withdrawals-----	\$2,000 00 10 25	
	By Interest Account, 90,000-Acre Grant-----	Support of State University----- Laboratory-----	\$5,286 08 1,613 02	2,010 25
	By State University Fund----- By Contingent University Fund-----	Nevada 4 per cent. State bonds----- Support of State University----- Laboratory-----	\$4,234 81 1,767 44	6,899 10 5,000 00
	By District Judges' Salary Fund-----	Salaries and traveling expenses-----		6,002 25 25,665 95
	By balance-----			\$533,509 74 319,262 44
				\$852,772 18

EXHIBIT C.

Showing apportionments into and disbursements from the several funds during the year 1894.

Receipts.	Amounts.	Disbursements.	Amounts.
General Fund -----	\$151,504 41	General Fund -----	\$54,402 98
State School Fund -----	78,550 15	State School Fund -----	123,142 38
General School Fund -----	127,173 87	General School Fund -----	121,715 92
State Interest and Sinking Fund -----	20,664 21	State Interest and Sinking Fund -----	40,587 67
Territorial Interest Fund -----	15,226 10	Territorial Interest Fund -----	28,500 00
Insane Interest and Sinking Fund -----	7,613 05	Insane Interest and Sinking Fund -----	15,580 00
State Library Fund -----	1,519 30	State Library Fund -----	1,628 47
Judicial Salary Fund -----	120 00	Judicial Salary Fund -----	17,375 00
State Orphan Home Fund -----	160 00	State Orphan Home Fund -----	14,659 22
State Prison Fund -----	12,766 71	State Prison Fund -----	32,740 88
State Indigent Insane Fund -----	1,342 15	State Indigent Insane Fund -----	37,599 67
University Fund (90,000-Acre Grant) -----	228 95	University Fund (90,000-Acre Grant) -----	2,010 25
Interest Account (90,000-Acre Grant) -----	7,080 00	Interest Account (90,000-Acre Grant) -----	6,899 10
State University Fund -----	10 00	State University Fund -----	5,000 00
Contingent University Fund -----	6,376 04	Contingent University Fund -----	6,002 25
District Judges' Salary Fund -----	23,126 29	District Judges' Salary Fund -----	25,665 95
Total -----	\$453,461 23	Total -----	\$533,509 74

EXHIBIT D.

Showing transfers made during the year 1894.

General Fund to Judicial Salary Fund -----	\$17,255 00
General Fund to State Orphan Home Fund -----	14,499 22
General Fund to State Prison Fund -----	20,429 28
General Fund to State Indigent Insane Fund -----	36,257 52
General Fund to District Judges' Salary Fund -----	1,910 96
	<hr/>
	\$90,351 98
	<hr/>
State Library Fund to General Fund -----	\$13 50
	<hr/>

EXHIBIT E.

Showing balance on hand January 1, 1894, receipts and disbursements during the year, balance on hand December 31, 1894.

Balance on hand January 1, 1894-----	\$399,310 95
Receipts during the year 1894-----	453,461 23
Disbursements during the year 1894-----	\$852,772 18
	533,509 74
Balance on hand January 1, 1895-----	\$319,262 44
<i>Apportioned.</i>	
General Fund-----	\$139,191 16
State School Fund-----	78,645 88
General School Fund-----	69,799 58
State Interest and Sinking Fund-----	3,234 00
Territorial Interest Fund-----	1,359 52
Insane Interest and Sinking Fund-----	1,097 54
State Library Fund-----	227 85
State Prison Fund-----	455 11
University Fund, 90,000-Acre Grant-----	7,868 26
Interest Account, 90,000-Acre Grant-----	1,061 43
State University Fund-----	12,140 18
Contingent University Fund-----	858 93
District Judges' Salary Fund-----	3,323 00
Total-----	\$319,262 44

REPORT OF THE

EXHIBIT F.

Showing county settlements for the year 1894.

Counties.	June.	December.	Totals.
Churchill county -----	-----	\$4,622 62	\$4,622 62
Douglas county -----	\$33 31	7,539 89	7,573 20
Elko county -----	-----	36,253 52	36,253 52
Esmeralda county -----	-----	6,014 60	6,014 60
Eureka county -----	1,946 09	14,605 75	16,551 84
Humboldt county -----	-----	27,541 61	27,541 61
Lander county -----	-----	12,722 43	12,722 43
Lincoln county -----	-----	2,443 71	2,443 71
Lyon county -----	-----	9,851 54	9,851 54
Nye county -----	162 03	2,516 94	2,678 97
Ormsby county -----	-----	12,017 40	12,017 40
Storey county -----	-----	14,019 01	14,019 01
Washoe county -----	430 36	44,570 97	45,001 33
White Pine county -----	220 70	5,010 99	5,231 69
Totals -----	\$2,792 49	\$199,730 98	\$202,523 47

EXHIBIT G.

Showing warrants outstanding January 1, 1894; warrants drawn, registered, paid, canceled and returned to Controller during the year 1894; also warrants outstanding December 31, 1894.

Funds.	Outstanding January 1, 1894.	Drawn and Registered During 1894.	Paid, Canceled and Returned in 1894.	Outstanding December 31, 1894.
General Fund	\$1,775 06	\$54,599 87	\$54,402 98	\$1,971 95
State School Fund	250 00	122,892 38	123,142 38	-----
General School Fund	9,421 88	112,294 04	121,715 92	-----
State Interest and Sinking Fund	-----	40,587 67	40,587 67	-----
Territorial Interest Fund	-----	28,500 00	28,500 00	-----
Insane Interest and Sinking Fund	-----	15,580 00	15,580 00	-----
State Library Fund	95 00	1,560 97	1,641 97	14 00
Judicial Salary Fund	1,375 00	16,500 00	17,375 00	500 00
State Orphan Home Fund	166 74	14,564 45	14,659 22	113 03
State Prison Fund	568 99	32,281 92	32,740 88	71 97
State Indigent Insane Fund	111 83	37,732 71	37,599 67	244 87
University Fund (90,000-Acre Grant)	-----	2,010 25	2,010 25	-----
Interest Account (90,000-Acre Grant)	-----	6,899 10	6,899 10	-----
State University Fund	-----	5,000 00	5,000 00	-----
Contingent University Fund	-----	6,002 25	6,002 25	-----
District Judges' Salary Fund	1,000 00	25,165 95	25,665 95	500 00
Total	\$14,764 50	\$522,174 56	\$533,523 24	\$3,415 82

NOTE.—Warrants Nos. 1663 of 1890 and 376 of 1891 amounting to \$13 50 are included in the canceled and returned warrants of the State Library Fund. They were canceled according to law and the amount transferred from the State Library Fund to the General Fund.

EXHIBIT I.

Showing list of United States bonds and Nevada State bonds held by the different funds and accrued interest.

Funds.	Description of Bonds.	Amounts.	Totals.
State School Fund -----	Nevada 5 per cent. State bond -----	\$380,000 00	
	Nevada 4 per cent. State bonds -----	95,000 00	
	United States 4 per cent. bonds -----	550,000 00	\$1,025,000 00
University Fund, 90,000-Acre Grant-----	Nevada 4 per cent. State bonds -----	\$44,000 00	
	United States 4 per cent. bonds -----	39,000 00	83,000 00
State University Fund -----	Nevada 4 per cent. State bonds -----	\$11,000 00	
	United States 4 per cent. bonds -----	11,000 00	22,000 00
	<i>Accrued Interest.</i>		\$1,130,000 00
State School Fund -----	On United States 4 per cent. bonds (\$550,000)-----	-----	\$5,500 00
University Fund, 90,000-Acre Grant-----	On United States 4 per cent. bonds (\$39,000)-----	-----	390 00
State University Fund -----	On United States 4 per cent. bonds (\$11,000)-----	-----	110 00
Total -----	-----	-----	\$6,000 00

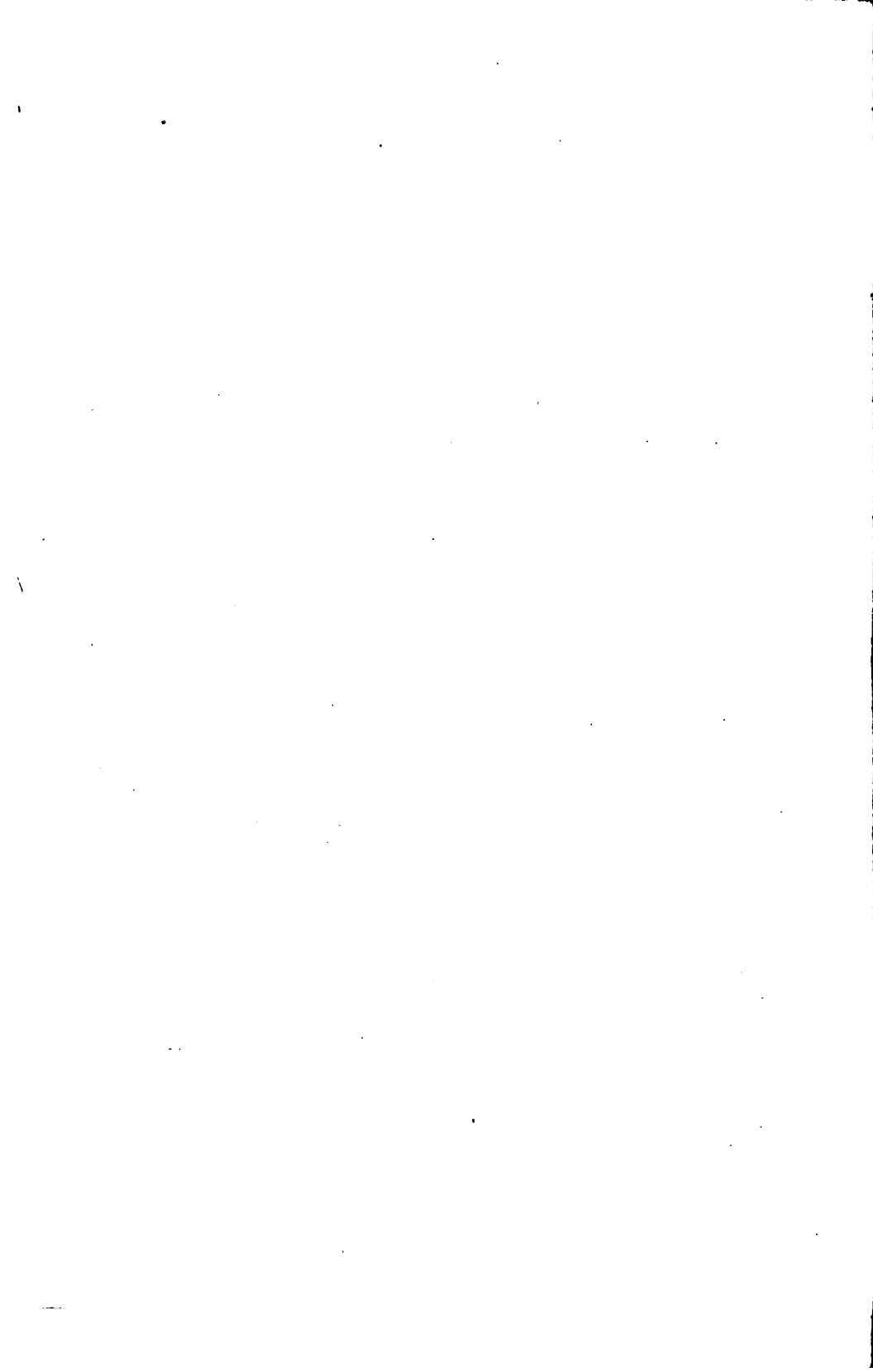
EXHIBIT J.

Detailed statement of outstanding Nevada State bonds.

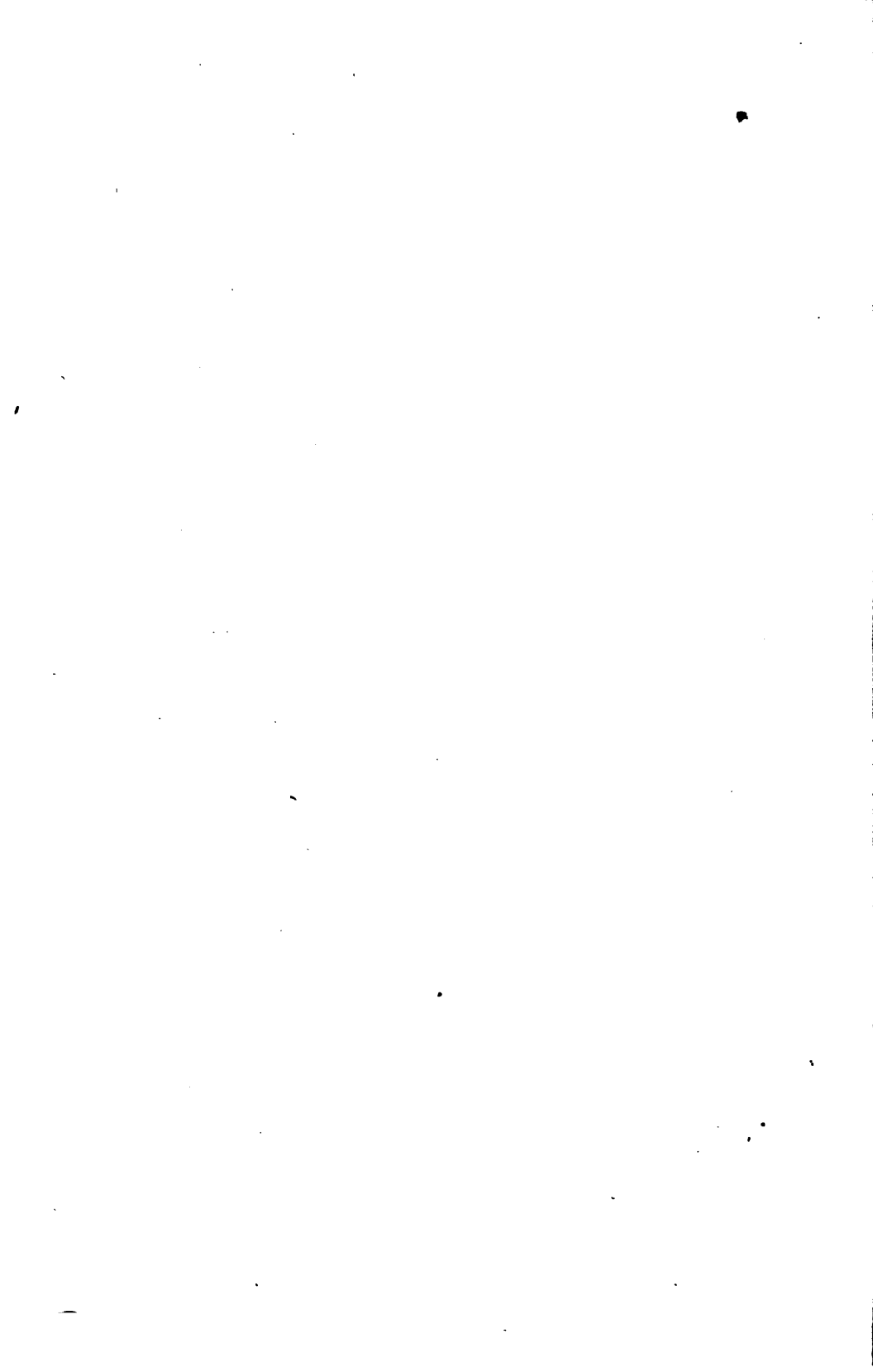
Fund.	Description of Bonds.	Issued.	Life.	Interest Payments.	Rate.	Amounts.	Totals.
State School Fund	1 Nevada 5 per cent. bond	April 1, 1879.	Irredeemable	Jan. 1.	July 1.	5	
	5 bonds, 58 to 62, inclusive, \$1,000 each	Oct. 1, 1889.	10 years.	Jan. 1.	July 1.	4	\$5,000 00
	20 bonds, 63 to 82, inclusive, \$1,000 each	Nov. 1, 1889.	10 years.	Jan. 1.	July 1.	4	20,000 00
	10 bonds, 83 to 92, inclusive, \$1,000 each	Aug. 15, 1891.	10 years.	Jan. 1.	July 1.	4	10,000 00
	20 bonds, 93 to 112, inclusive, \$1,000 each	Sept. 1, 1891.	10 years.	Jan. 1.	July 1.	4	20,000 00
	20 bonds, 113 to 132, inclusive, \$1,000 each	Nov. 1, 1891.	10 years.	Jan. 1.	July 1.	4	20,000 00
	10 bonds, 133 to 142, inclusive, \$1,000 each	Sept. 30, 1893.	10 years.	Jan. 1.	July 1.	4	10,000 00
	10 bonds, 143 to 152, inclusive, \$1,000 each	Oct. 31, 1893.	10 years.	Jan. 1.	July 1.	4	10,000 00
							95,000 00
University Fund, 90,000-Acre Grant	5 bonds, 1 to 5, inclusive, \$1,000 each	May 1, 1889.	10 years.	Jan. 1.	July 1.	4	5,000 00
	5 bonds, 6 to 10, inclusive, \$1,000 each	Aug. 1, 1889.	10 years.	Jan. 1.	July 1.	4	5,000 00
	5 bonds, 11 to 15, inclusive, \$1,000 each	Oct. 1, 1889.	10 years.	Jan. 1.	July 1.	4	5,000 00
	10 bonds, 16 to 25, inclusive, \$1,000 each	Feb. 28, 1890.	10 years.	Jan. 1.	July 1.	4	10,000 00
	10 bonds, 26 to 35, inclusive, \$1,000 each	June 11, 1890.	10 years.	Jan. 1.	July 1.	4	10,000 00
	3 bonds, 36 to 38, inclusive, \$1,000 each	Nov. 11, 1890.	10 years.	Jan. 1.	July 1.	4	3,000 00
	2 bonds, 5 to 6, inclusive, \$1,000 each	Sept. 30, 1893.	10 years.	Jan. 1.	July 1.	4	2,000 00
	2 bonds, 7 to 8, inclusive, \$1,000 each	Dec. 30, 1893.	10 years.	Jan. 1.	July 1.	4	2,000 00
	1 bond, 11, \$1,000	Feb. 28, 1894.	10 years.	Jan. 1.	July 1.	4	1,000 00
	1 bond, 14, \$1,000	May 31, 1894.	10 years.	Jan. 1.	July 1.	4	1,000 00
							44,000 00
State University Fund	3 bonds, 1 to 3, inclusive, \$1,000 each	May 31, 1893.	10 years.	Jan. 1.	July 1.	4	3,000 00
	1 bond, 4, \$1,000	June 30, 1893.	10 years.	Jan. 1.	July 1.	4	1,000 00
	2 bonds, 9 to 10, inclusive, \$1,000 each	Dec. 30, 1893.	10 years.	Jan. 1.	July 1.	4	2,000 00
	1 bond, 12, \$1,000	April 21, 1894.	10 years.	Jan. 1.	July 1.	4	1,000 00
	1 bond, 13, \$1,000	May 31, 1894.	10 years.	Jan. 1.	July 1.	4	1,000 00
	1 bond, 15, \$1,000	Oct. 31, 1894.	10 years.	Jan. 1.	July 1.	4	1,000 00
	2 bonds, 16 to 17, inclusive, \$1,000 each	Nov. 30, 1894.	10 years.	Jan. 1.	July 1.	4	2,000 00
							11,000 00
Total							\$530,000 00

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